

**3. S & D LAND DEVELOPMENT, INC.**  
**(Applicant)**

**02-11-CZ8-2 (02-265)**  
**BCC/District 2**  
**Hearing Date: 3/13/03**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☒ / lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? The Corinthian Apartments, Ltd.

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1985	Home & Housing of Dade	UV RU-3M in RU-1.	BCC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

# TEAM METRO CALEB OFFICE

## ENFORCEMENT HISTORY

S & D LAND DEVELOPMENT, INC

THE SOUTHEAST CORNER OF  
NW 78 ST & NW 22 AVENUE,  
MIAMI-DADE COUNTY,  
FLORIDA

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APPLICANT

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ADDRESS

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03-13-2003

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02-265

DATE

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

CASE # 200204003786 (Folio# 30-3110-057-2030)

2-28-02 First Inspection conducted. Property found in violation of overgrowth.

10-21-02 Citation #888959 (Chapter 19-6) was mailed to property owner.

CASE # 200204000721 (Folio# 30-3110-057-2100)

2-28-02 First Inspection conducted. Property found in violation of overgrowth.

3-3-02 Citation #783323 (Chapter 19-5) was mailed to property owner.

3-20-02 Citation #783323 was posted at property.

4-15-02 Compliance inspection revealed that the violation still exists.

4-25-02 Case has been prepared for remediation.

2-25-03 Property was re-inspected. Violation still exists. Property owner's representative (Maria) was advised that the County contractor would begin clearing on 3/4/2003.

CASE # 200204001630 (Folio# 30-3110-057-2100)

- 5-14-02 First Inspection conducted. Property found in violation of junk vehicles.
- 5-14-02 Citation #795380 (Chapter 19-6) was posted at the property.
- 5-30-02 Compliance inspection revealed that the violation still exists.
- 6-14-02 Case has been prepared for remediation.
- 2-25-03 Property was re-inspected. Violation still exists. Property owner's representative (Maria) was advised that the County contractor would begin clearing on 3/4/2003.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

**APPLICANT:** S & D Land Development, Inc.

**PH:** Z02-265 (02-11-CZ8-2)

**SECTION:** 10-53-41

**DATE:** March 13, 2003

**COMMISSION DISTRICT:** 2

**ITEM NO.:** 3

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**A. INTRODUCTION**

o **REQUEST:**

THE CORINTHIAN APARTMENTS LTD. is appealing the decision of Community Zoning Appeals Board #8 on S & D LAND DEVELOPMENT, INC., which denied the following:

RU-1 & BU-2 to RU-4M

o **SUMMARY OF REQUEST:**

The applicant is appealing the decision of the Community Zoning Appeals Board-8 which denied a zone change on this site from RU-1, Single Family Residential District, and BU-2, Special Business District, to RU-4M, Modified Apartment House District.

o **LOCATION:**

The Southeast corner of N.W. 78 Street and N.W. 22 Avenue, Miami-Dade County, Florida.

o **SIZE:** 5.71± Acres.

o **IMPACT:**

The rezoning of the property will provide additional housing for the community. However, the rezoning will add to the population in the area, will bring more children into the schools, will impact water and sewer services, and will bring additional traffic and noise into the area.

**B. ZONING HEARINGS HISTORY:**

In 1985, the Board of County Commissioners granted a use variance, special exception, and non-use variances that allowed a 52 unit multiple family development on private drives in the RU-1 and BU-2 zoning districts as would be permitted in the RU-3M zoning district.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2005 and 2015 Land Use plan designates the BU-2 zoned portion of the subject property as being within the Urban Development Boundary for **business and office**.

2. The Adopted 2005 and 2015 Land Use Plan designates the RU-1 zoned portion of the subject property as being within the Urban Development Boundary for **medium density residential**. The residential densities allowed in this category shall range from a minimum of 13 to a maximum of 25 units per gross acre. The types of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.
3. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher (Land Use Element, page I-35).
4. Where groups of parcels under a single ownership or multiple ownerships that area legally unified (hereinafter legally unified development) are located within a unit area bounded by Major or Minor Roadways as indicated on the Land Use Plan map, portions of the unified development may be developed at densities higher than that shown on the LUP map provided that other portions are development are developed at correspondingly lower densities so that the average density of the entire development does not exceed the maximum gross density limits shown on the LUP map (Land Use Element, page I-26).
5. All approval of new land uses must be consistent with the LUP map and the specific land use provisions of the various LUP map categories, and the objectives and policies of this Plan. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning (Land Use Element, Page I-63).

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-2 & RU-1; vacant parcel

Business and Office on BU-2 zoned portion (fronting on NW 22 Avenue) & Residential, 13 to 25 dua on RU-1 zoned portion

Surrounding Properties:

NORTH: BU-2 & RU-1; fast food restaurant & used car lot

Business and Office

SOUTH:	BU-2 & RU-1; church & single family residence	Business and Office & Residential, 13 to 25 dua
EAST:	RU-1; vacant lot & single family residence	Residential, 13 to 25 dua
WEST:	BU-2; service station	Business and Office

The subject site is located on the east side of NW 22 Avenue, south of NW 79 Street. This area maintains a mixture of apartments and social service organizations. There are numerous houses of worship along both the east and west side of NW 22 Avenue. The Caleb Center is located to the southwest of this site.

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(no plans were submitted)
Scale/Utilization of Site:	N/A
Location of Buildings:	N/A
Compatibility:	N/A
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	N/A
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned

and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**G. NEIGHBORHOOD SERVICES:**

DERM	<b>No objection</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDTA	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>111 additional students</b>

**H. ANALYSIS:**

The applicant is appealing the February 5, 2003 decision of the Community Zoning Appeals Board-8 which denied this application with prejudice by a vote of 5-1.

The subject property is located on the southeast corner of NW 78 Street and NW 22 Avenue. The applicant is seeking a district boundary change on the site from RU-1, Single Family Residential District, and BU-2, Special Business District, to RU-4M, Modified Apartment House District.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application. This property requires platting and the road dedications and improvements will be accomplished through same. This property lies within the urban infill area where traffic concurrency does not apply. The Northside District of the Miami-Dade Police Department serves this area. In September 2002 that district had an average emergency response time of 4.1 minutes.

This application will allow the applicant to provide additional housing for the community. The subject site consists of 3.81 acres of RU-1 zoned property on the easterly portion of the site and 1.9 acres of BU-2 zoned property, fronting on NW 22 Avenue, on the westerly portion of the site, for a total of 5.71 acres. RU-4M zoning permits the development of 35.9 units per acre, which would allow a total of 204 residential units on this site. However, the applicant intends to proffer a covenant limiting the development of this site to a maximum of 180 residential units and limiting the height of the development to a maximum of five stories, whereas the RU-4M zoning district permits a maximum height of eight stories and cannot exceed 100' in height. The proposed RU-4M zoning will be **compatible** with the surrounding area which consists of a fast food restaurant and used car lot to the north, a church and single family residence to the south, a service station to the west, and a vacant lot and single family residence to the east.

The Comprehensive Development Master Plan designates the RU-1 zoned portion of the site for Medium Density Residential use, up to 25 units per gross acre, on the Land Use Plan (LUP) map which would allow a maximum of 95 units on that portion if rezoned to


higher density zoning. The Master Plan designates the westerly BU-2 zoned portion of the site for Business and Office use. The Master Plan states that residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. In this instance, the proposed RU-4M zoning meets the aforementioned criteria. The adjacent property (the easterly portion of the subject site) is designated for Medium Density Residential use, up to 25 units per gross acre and as such, the Master Plan would allow one density category higher than the adjacent LUP map designation on the BU-2 zoned portion. The CDMP would permit Medium-High Density Residential (25 to 60 units per gross acre) on the BU-2 zoned portion of the site for a maximum of 114 units. The combined total number of units that the Master Plan would permit on the entire subject property is 209 (95 on the RU-1 portion and 114 on the BU-2 portion). The RU-4M zoning which allows 35.9 units per net acre will be inconsistent with the CDMP (on the portion of the property designated for Medium Density Residential use) without a covenant restricting the total development density. RU-4M zoning on the entire site will allow a maximum of 204 units which will be **consistent** with the Master Plan's permitted density of 209 units on the entire site. The applicant will proffer a covenant which will limit the development of the site to a maximum of 180 residential units that will be well below the maximum permitted by the LUP map and will be **consistent** with the Master Plan. Accordingly, staff recommends approval of the appeal and approval of this application, subject to the Board's acceptance of the proffered covenant.

**I. RECOMMENDATION:**

Approval of the appeal and approval of a zone change to RU-4M, subject to the Board's acceptance of the proffered covenant.

**J. CONDITIONS:      None.**

**DATE INSPECTED:**      10/21/02  
**DATE TYPED:**      10/31/02  
**DATE REVISED:**      11/21/02; 12/30/02; 01/06/03; 02/03/03; 02/19/03; 02/23/03  
**DATE FINALIZED:**      03/04/03  
DO'QW:AJT:MTF:REM:JDR

  
Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning





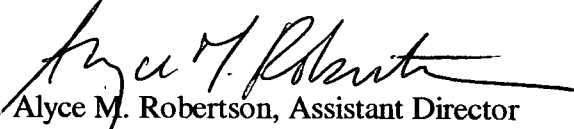
## MEMORANDUM



TO: Diane O' Quinn-Williams, Director  
Department of Planning and Zoning

DATE: October 8, 2002

SUBJECT: C-08 #Z2002000265  
S&D Land Development, Inc.  
SEC of NW 78<sup>th</sup> Street and NW 22<sup>nd</sup>  
Avenue  
DBC from RU-1 & BU-2 to RU-4M  
(RU-1/BU-2) (5.71 Ac.)  
10-53-41

FROM:   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection/transmission and treatment capacity, no new sewer service connections can be permitted until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is

advised to contact DERM in order to obtain additional information concerning permitting requirements.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Solid Waste Disposal Sites:

A review of DERM records indicates that within 500 feet of the subject property, the sites listed below were identified as sites with current or historical contamination issues:

Woodward Property  
2525 NW 72<sup>nd</sup> Street  
SW-1422  
Currently contaminated with solid waste material.

Gwen Cherry Park  
NW 24<sup>th</sup> Avenue & NW 71<sup>st</sup> Street  
SW-1208  
Industrial and solid waste contaminated site.

Shell  
2200 NW 79<sup>th</sup> Street  
UT-811  
Petroleum contaminated site. Currently in a state administered cleanup program.

Poinciana Industrial Park  
2230 NW 76<sup>th</sup> Street  
UT-2830  
Petroleum contaminated site. Currently in a state administered cleanup program.

Jim Holtz, Inc.  
7500 NW 22<sup>nd</sup> Avenue  
UT-530  
Petroleum contaminated site. Currently in a state administered cleanup program

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z  
Lynne Talleda, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

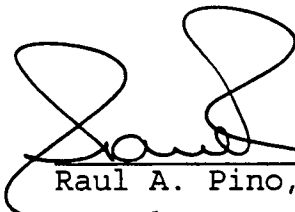
PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: S & D Land Development, Inc.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

  
\_\_\_\_\_  
Raul A. Pino, P.L.S.

NOV. 04 2002

\_\_\_\_\_  
Date

# MIAMI-DADE FIRE RESCUE DEPARTMENT

## ZONING COMMENTS

Hearing Number: 02-265

Service Impact: ☒ Yes ☐ No

Location: SEC NW 78 ST. & NW 22 AVE.

Recommendation: No objection \_\_\_\_\_  
No objection with condition(s) \_\_\_\_\_  
Denial \_\_\_\_\_

Plans: ☐ Yes RD-1 & BU-2 TO  
☒ No RD-4M  
5.71 AC

Estimated number of alarms generated annually by application: 22

If there is an impact, below is the service availability:

Station District 7 Grid 0795 DU/SF 130 Occupancy Type 2

Impact of additional calls on closest station: ☐ Minimal Impact.

☐ Moderate Impact. Planned station(s) will mitigate impact.

Planned Service to Mitigate:

Service	Location	Year to be Completed
_____	_____	_____
_____	_____	_____

☐ None

### ACCESS:

Description of Concern(s):

- ☐ Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.
- ☐ Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.
- ☐ Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)
- ☐ Fire Engineering & Water Supply Bureau site plan review and approval required.

OTHER CONCERN(S):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewed by: Carlos Heredia

Phone: (786) 331-4544

Date: January 13, 2003  
Revised 4/18/02



## Miami-Dade County Public Schools

*giving our students the world*

Administrative Director  
Ana Rijo-Conde, AICP

November 15, 2002

Miami-Dade County School Board  
Perla Tabares Hantman, Chair  
Dr. Michael M. Krop, Vice Chair  
Frank J. Bolaños  
Frank J. Cobo  
Dr. Robert B. Ingram  
Betsy H. Kaplan  
Manty Sabates Morse  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Ms. Ruth Ellis Myers, Acting Supervisor  
Miami-Dade County  
Department of Zoning Evaluation  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

Merrett R. Stierheim

**Re: S & D Land Development, Inc. - Application No. 02-265 (CC8)**  
**Southeast Corner of NW 78 Street and NW 22 Avenue**

Dear Ms. Myers:

Please accept this letter as an expression of concern from the Miami-Dade County Public Schools (School District), over the impact of the above referenced development on the School District's public schools. Based on current attendance boundaries, the proposed development would be served by L. C. Evans Elementary, Charles R. Drew Middle and Miami Northwestern Senior High.

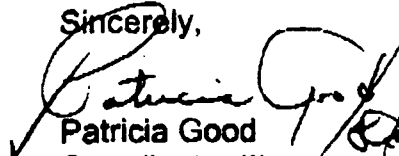
The impacted middle and senior high schools are at or above capacity, based on the data provided by the Office of Information Technology. Please see attached analysis. Also, please note that the School District's current 5-year work plan does not include any relief schools in the area.

In accordance with established School Board policy, this letter should not be construed as commentary on the merits of the pending zoning application. Rather, it is an attempt to provide relevant information to the Community Council on the public schools that will likely serve the proposed development.

Ms. Ruth Ellis Myers  
November 15, 2002  
Page Two

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good  
Coordinator III

PG:am  
L-601  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerne

**SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 02-265, S & D Land Development, Inc. (CC8)

**REQUEST:** Zone change from RU-1 & BU-2 to RU-4M

**ACRES:** 5.71± acres

**LOCATION:** Southeast Corner of NW 78 Street and NW 22 Avenue

**UNITS:** 182 additional units (22 units currently permitted under existing zoning classification and 204 units are being proposed.)

**ESTIMATED  
STUDENT  
POPULATION:** 111 additional students

**ELEMENTARY:** 60

**MIDDLE:** 27

**SENIOR:** 24

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMENTARY:** L. C. Evans Elementary - 1895 NW 75 St.

**MIDDLE:** Charles R. Drew Middle - 1801 NW 60 St.

**SENIOR HIGH:** Miami Northwestern Senior - 1100 NW 71 St.



The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS
L. C. Evans Elem.	291	785	37%	0
Charles Drew Middle	1296	1019	127%	241
Miami Northwestern Sr.	3134	2537	124%	83

**ADDITIONAL SCHOOL INFORMATION:** The following information was provided by school site personnel or other data sources in October 2001:

**L. C. Evans Elementary:**

Access to computers:

In each classroom, in special computer labs and in Media Center

Capital Improvements since 1990:

None

Recognition for Academic Achievement:

None

Special Programs:

Before/After-school care

Lunch schedule:

Begins at 10:45 a.m.

Non-instructional space utilized for instructional purposes:

None

Teachers required to float/travel:

Art, Music and Spanish

**Charles R. Drew Middle:**

Access to computers:

In each classroom, in special computer labs and in the Media Center

Capital Improvements since 1990:

Science Labs

Recognition for Academic Achievement:

Proclamation Silver Award

Special Programs:

Magnet programs, Enrichment and Community Classes

Lunch schedule:

Begins at 10:20 a.m.

Non-instructional space utilized for instructional purposes:

Auditorium

Teachers required to float/travel:

ESE and Social Studies

**Miami Northwestern Senior High:**

Access to computers:

In each classroom, in special computer labs and in the Media Center

Capital Improvements since 1990:

None

Recognition for Academic Achievement:

Business Awards

Special Programs:

Magnet programs, Vocational, Enrichment and Community classes

Lunch schedule:

Begins at 10:40 a.m.

Non-instructional space utilized for instructional purposes:

None

Teachers required to float/travel:

Math, Science and ESE

**PLANNED RELIEF SCHOOLS IN THE AREA (Information as of November 2002):**

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
N/A		

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$647,463.

**CAPITAL COSTS:** Based on the 2001-2002 Adopted Budget, construction costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	60	x	\$ 14,698	=	\$ 881,880
MIDDLE	27	x	\$ 17,323	=	\$ 467,721
SENIOR	24	x	\$ 22,195	=	\$ 532,680

Total Potential Capital Cost	\$1,882,281
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The School Board's estimated capital costs are based upon the actual costs of land acquisition, land development and construction of elementary, middle or senior high school facilities. Such costs do not include furniture, fixtures or equipment, buses or other capital costs.

PETITION OF APPEAL FROM DECISION OF  
METROPOLITAN DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY 8 AMOUNT OF FEE \$399

RECEIPT # \_\_\_\_\_

DATE HEARD: January 22, 2003 and February 5, 2003

BY CZAB# 8

RECEIVED  
02-265  
FEB 06 2003

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY 8

DATE RECEIVED STAMP

\*\*\*\*\*

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Metropolitan Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 02-265 (02-11-CZ8-2)

Filed in the name of S&D Land Development, Inc.

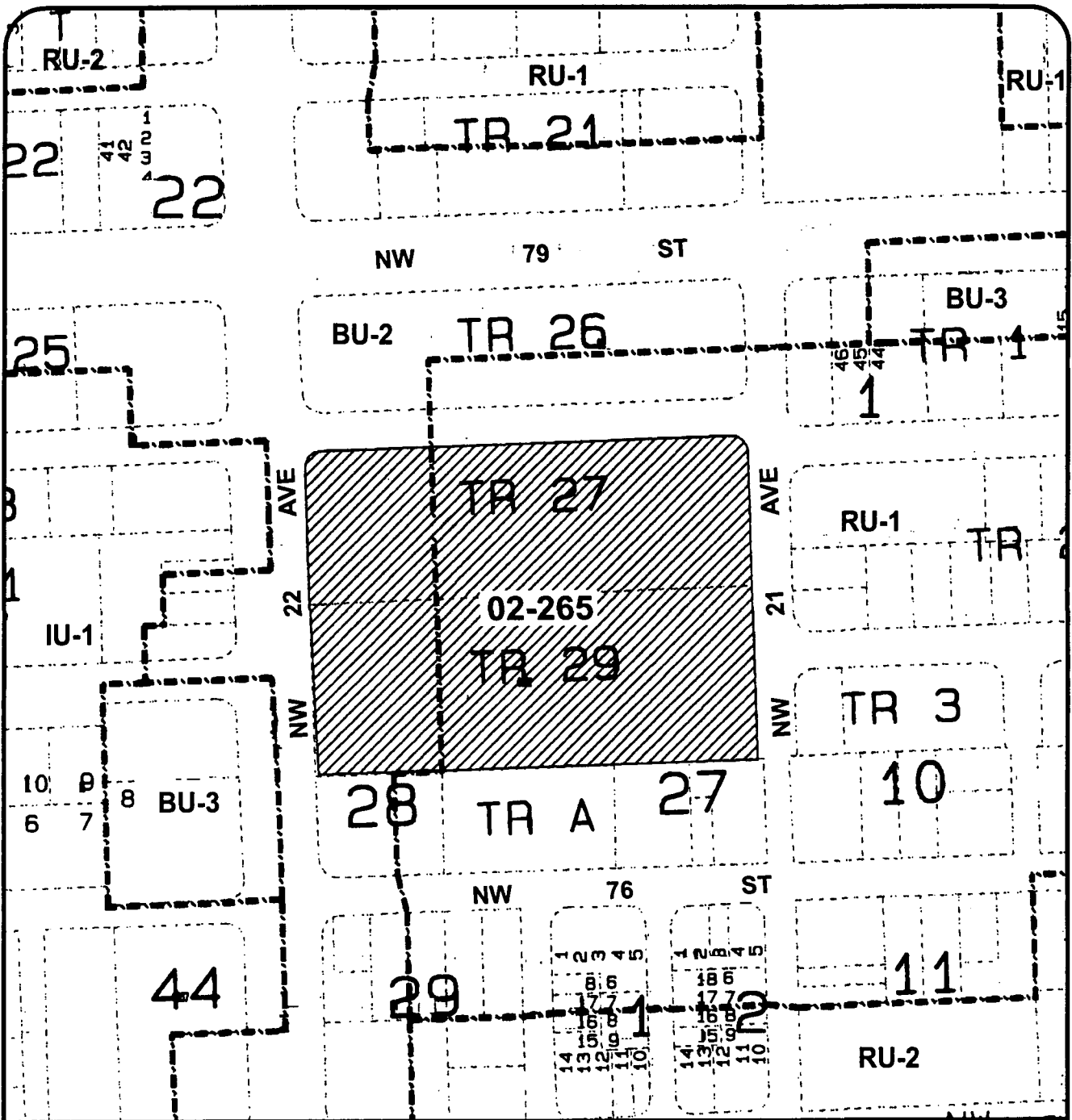
Name of Appellant, if other than applicant -  
The Corinthian Apartments, Ltd.(contract purchaser)

Address/Location of APPELLANT'S property: N/A

Application, or part of Application Appealed (Explanation):  
Entire Appealable Application

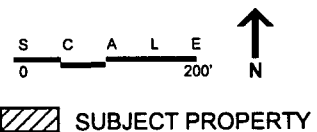
Appellant (name) The Corinthian Apartments, Ltd. hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:  
(State in brief and concise language)

1. The application complies with the Comprehensive Development Master Plan.
2. There was no demonstration by substantial competent evidence that maintaining the existing zoning classifications accomplished a legitimate public purpose.
3. The decision by the Community Zoning Appeals Board was arbitrary, discriminatory, and unreasonable.



MIAMI-DADE COUNTY  
HEARING MAP

Section: 10 Township: 53 Range: 40  
Process Number: 02000256  
Applicant: S & D DEVELOPMENT  
District Number: 02  
Zoning Board: C08  
Drafter ID: CIRO  
Scale: 1:200'



If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

The Corinthian Apartments, Ltd.

By: PHG-Corinthian, LLC, its General Partner

Mitchell M. Friedman  
Mitchell M. Friedman

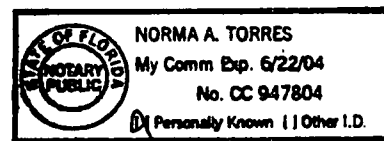
Sworn to and subscribed before me,

this 5<sup>th</sup> day of September, 2002

Norma A. Torres  
Notary Public, State of Florida at Large

My Commission Expires:

(SEAL)



\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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265  
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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

27

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS

Percentage of Ownership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

THE CORINTHIAN APARTMENTS, LTD.  
NAME

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

PGH-Corinthian, LLC (General Partner)

.01%

General Partner owned by:

Michael D. Wohl /35%

Louis Wolfson III/35%

David O. Deutch - 15%

Mitchell M. Friedman - 15%

Michael D. Wohl, an Individual

99.99%

Date of contract: July 17, 2002

26  
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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY BC



## DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME

NAME, ADDRESS AND OFFICE

Percentage of Stock

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If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

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215  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC 25

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

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For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.  
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

M. Turner

Sworn to and subscribed before me,

this 30 day of August, 192002

(SEAL)

C. Lechado  
Notary Public, State of Florida at Large

Concepcion Lechado  
★ My Commission CC950655  
Expires June 28, 2004

My Commission Expires: June 28, 2004

\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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243  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY BC

24

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
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If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Date of contract: \_\_\_\_\_

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SEP 06 2002 23  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
BY BC

## DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

S+D Land Development, Inc.  
CORPORATION NAME

NAME, ADDRESS, AND OFFICE

M. Turner

Percentage of Stock

100%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

**RECEIVED**  
202-265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

22

**PLANNED RELIEF SCHOOLS IN THE AREA (Information as of November 2002):**

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
N/A		

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$647,463.

**CAPITAL COSTS:** Based on the 2001-2002 Adopted Budget, construction costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	60	x	\$ 14,698	=	\$ 881,880
MIDDLE	27	x	\$ 17,323	=	\$ 467,721
SENIOR	24	x	\$ 22,195	=	\$ 532,680

Total Potential Capital Cost	\$1,882,281
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The School Board's estimated capital costs are based upon the actual costs of land acquisition, land development and construction of elementary, middle or senior high school facilities. Such costs do not include furniture, fixtures or equipment, buses or other capital costs.

**Charles R. Drew Middle:****Access to computers:****In each classroom, in special computer labs and in the Media Center****Capital Improvements since 1990:****Science Labs****Recognition for Academic Achievement:****Proclamation Silver Award****Special Programs:****Magnet programs, Enrichment and Community Classes****Lunch schedule:****Begins at 10:20 a.m.****Non-instructional space utilized for instructional purposes:****Auditorium****Teachers required to float/travel:****ESE and Social Studies****Miami Northwestern Senior High:****Access to computers:****In each classroom, in special computer labs and in the Media Center****Capital Improvements since 1990:****None****Recognition for Academic Achievement:****Business Awards****Special Programs:****Magnet programs, Vocational, Enrichment and Community classes****Lunch schedule:****Begins at 10:40 a.m.****Non-instructional space utilized for instructional purposes:****None****Teachers required to float/travel:****Math, Science and ESE**

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS
L. C. Evans Elem.	291	785	37%	0
Charles Drew Middle	1296	1019	127%	241
Miami Northwestern Sr.	3134	2537	124%	83

**ADDITIONAL SCHOOL INFORMATION:** The following information was provided by school site personnel or other data sources in October 2001:

**L. C. Evans Elementary:**

Access to computers:

In each classroom, in special computer labs and in Media Center

Capital Improvements since 1990:

None

Recognition for Academic Achievement:

None

Special Programs:

Before/After-school care

Lunch schedule:

Begins at 10:45 a.m.

Non-instructional space utilized for instructional purposes:

None

Teachers required to float/travel:

Art, Music and Spanish

**SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 02-265, S & D Land Development, Inc. (CC8)

**REQUEST:** Zone change from RU-1 & BU-2 to RU-4M

**ACRES:** 5.71± acres

**LOCATION:** Southeast Corner of NW 78 Street and NW 22 Avenue

**UNITS:** 182 additional units (22 units currently permitted under existing zoning classification and 204 units are being proposed.)

**ESTIMATED  
STUDENT  
POPULATION:** 111 additional students

**ELEMENTARY:** 60

**MIDDLE:** 27

**SENIOR:** 24

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMENTARY:** L. C. Evans Elementary - 1895 NW 75 St.

**MIDDLE:** Charles R. Drew Middle - 1801 NW 60 St.

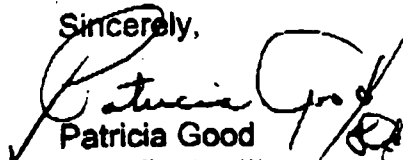
**SENIOR HIGH:** Miami Northwestern Senior - 1100 NW 71 St.



Ms. Ruth Ellis Myers  
November 15, 2002  
Page Two

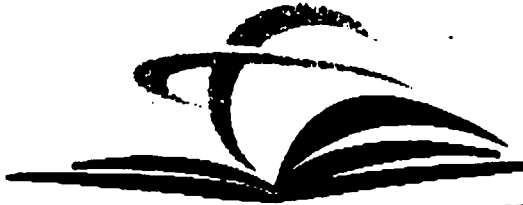
As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

  
Patricia Good  
Coordinator III

PG:am  
L-601  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerne



## Miami-Dade County Public Schools

*giving our students the world*

*Administrative Director*  
**Ana Rijo-Conde, AICP**

November 15, 2002

**Miami-Dade County School Board**  
*Perla Tabares Hartman, Chair*  
*Dr. Michael M. Krop, Vice Chair*  
*Frank J. Bolaños*  
*Frank J. Cobo*  
*Dr. Robert B. Ingram*  
*Betsy H. Kaplan*  
*Manty Sabates Morse*  
*Dr. Marta Pérez*  
*Dr. Solomon C. Stinson*

**Ms. Ruth Ellis Myers, Acting Supervisor**  
**Miami-Dade County**  
**Department of Zoning Evaluation**  
**111 NW 1 Street, Suite 1110**  
**Miami, Florida 33128**

*Merritt R. Stierheim*

**Re: S & D Land Development, Inc. - Application No. 02-265 (CC8)**  
**Southeast Corner of NW 78 Street and NW 22 Avenue**

Dear Ms. Myers:

Please accept this letter as an expression of concern from the Miami-Dade County Public Schools (School District), over the impact of the above referenced development on the School District's public schools. Based on current attendance boundaries, the proposed development would be served by L. C. Evans Elementary, Charles R. Drew Middle and Miami Northwestern Senior High.

The impacted middle and senior high schools are at or above capacity, based on the data provided by the Office of Information Technology. Please see attached analysis. Also, please note that the School District's current 5-year work plan does not include any relief schools in the area.

In accordance with established School Board policy, this letter should not be construed as commentary on the merits of the pending zoning application. Rather, it is an attempt to provide relevant information to the Community Council on the public schools that will likely serve the proposed development.

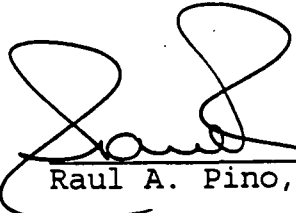
PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: S & D Land Development, Inc.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

  
\_\_\_\_\_  
Raul A. Pino, P.L.S.  
NOV. 04 2002  
\_\_\_\_\_  
Date

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z  
Lynne Talleda, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

advised to contact DERM in order to obtain additional information concerning permitting requirements.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Solid Waste Disposal Sites:

A review of DERM records indicates that within 500 feet of the subject property, the sites listed below were identified as sites with current or historical contamination issues:

Woodward Property  
2525 NW 72<sup>nd</sup> Street  
SW-1422  
Currently contaminated with solid waste material.

Gwen Cherry Park  
NW 24<sup>th</sup> Avenue & NW 71<sup>st</sup> Street  
SW-1208  
Industrial and solid waste contaminated site.

Shell  
2200 NW 79<sup>th</sup> Street  
UT-811  
Petroleum contaminated site. Currently in a state administered cleanup program.

Poinciana Industrial Park  
2230 NW 76<sup>th</sup> Street  
UT-2830  
Petroleum contaminated site. Currently in a state administered cleanup program.

Jim Holtz, Inc.  
7500 NW 22<sup>nd</sup> Avenue  
UT-530  
Petroleum contaminated site. Currently in a state administered cleanup program.

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

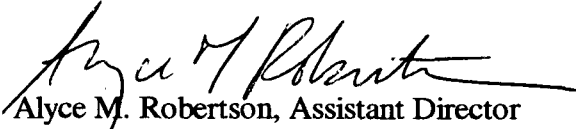
Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

TO: Diane O' Quinn-Williams, Director  
Department of Planning and Zoning

DATE: October 8, 2002

SUBJECT: C-08 #Z2002000265  
S&D Land Development, Inc.  
SEC of NW 78<sup>th</sup> Street and NW 22<sup>nd</sup>  
Avenue  
DBC from RU-1 & BU-2 to RU-4M  
(RU-1/BU-2) (5.71 Ac.)  
10-53-41

FROM:   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection/transmission and treatment capacity, no new sewer service connections can be permitted until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is

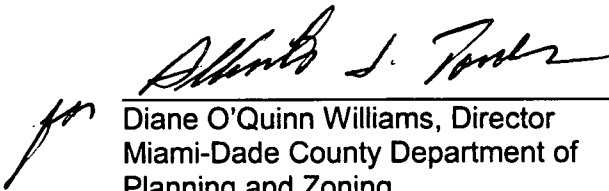
property is 209. The RU-4M zoning proposed will be inconsistent with the CDMP (on the portion of the property designated for Medium Density Residential use) without a covenant restricting the total development density. RU-4M zoning on the entire site will allow a maximum of 204 units which will be **consistent** with the Master Plan. The applicant will proffer a covenant which will limit the development of the site to a maximum of 180 residential units that will be well below the maximum permitted by the LUP map and will be **consistent** with the Master Plan. Accordingly, staff recommends approval of this application, subject to the Board's acceptance of the proffered covenant.

**I. RECOMMENDATION:**

Approval of a zone change to RU-4M, subject to the Board's acceptance of the proffered covenant.

**J. CONDITIONS:** None.

**DATE INSPECTED:** 10/21/02  
**DATE TYPED:** 10/31/02  
**DATE REVISED:** 11/21/02; 12/30/02; 01/06/03; 02/03/03  
**DATE FINALIZED:** 02/03/03  
DO'QW:AJT:MTF:REM:JDR

  
Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning

The subject property is located on the southeast corner of NW 78 Street and NW 22 Avenue. The applicant is seeking a district boundary change on the site from RU-1, Single Family Residential District, and BU-2, Special Business District, to RU-4M, Modified Apartment House District.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application. This property requires platting and the road dedications and improvements will be accomplished through same. This property lies within the urban infill area where traffic concurrency does not apply. The Northside District of the Miami-Dade Police Department serves this area. In August, 2002, that district had an average emergency response time of 4.7 minutes.

This application will allow the applicant to provide additional housing for the community. The subject site consists of 3.81 acres of RU-1 zoned property on the easterly portion of the site and 1.9 acres of BU-2 zoned property, fronting on NW 22 Avenue, on the westerly portion of the site, for a total of 5.71 acres. RU-4M zoning permits the development of 35.9 units per acre, which would allow a total of 204 residential units on this site. However, the applicant intends to proffer a covenant limiting the development of this site to a maximum of 180 residential units and limiting the height of the development to a maximum of five stories, whereas the RU-4M zoning district permits a maximum height of eight stories and cannot exceed 100' in height. The proposed RU-4M zoning will be **compatible** with the surrounding area which consists of a fast food restaurant and used car lot to the north, a church and single family residence to the south, a service station to the west, and a vacant lot and single family residence to the east.

The Comprehensive Development Master Plan designates the RU-1 zoned portion of the site for Medium Density Residential use, up to 25 units per gross acre, on the Land Use Plan (LUP) map which allows a maximum of 95 units on that portion. The Master Plan designates the westerly BU-2 zoned portion of the site for Business and Office use. The Master Plan states that residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. In this instance, the proposed RU-4M zoning meets the aforementioned criteria. The adjacent property (the easterly portion of the subject site) is designated for Medium Density Residential use, up to 25 units per gross acre and as such, the Master Plan would allow Medium-High Residential (25 to 60 units per gross acre) on the BU-2 zoned portion of the site for a maximum of 114 units. The combined total number of units that the Master Plan would permit on the entire subject



Compatibility:	N/A
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	N/A
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	111 additional students

**H. ANALYSIS:**

This special meeting was scheduled to allow the Board to reach a final vote in this matter. This application was deferred from the November 19, 2002 and December 3, 2002 meetings of the Community Zoning Appeals Board-8 due to the lack of time.

of 13 to a maximum of 25 units per gross acre. The types of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

3. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher (Land Use Element, page I-35).

**D. NEIGHBORHOOD CHARACTERISTICS:**

**ZONING**

**LAND USE PLAN DESIGNATION**

**Subject Property:**

BU-2 & RU-1; vacant parcel

Business and Office (fronting on NW 22 Avenue) & Residential, 13 to 25 dua

**Surrounding Properties:**

NORTH: BU-2 & RU-1; fast food restaurant  
& used car lot

Business and Office

SOUTH: BU-2 & RU-1; church & single  
family residence

Business and Office &  
Residential, 13 to 25 dua

EAST: RU-1; vacant lot & single family  
residence

Residential, 13 to 25 dua

WEST: BU-2; service station

Business and Office

The subject site is located on the east side of NW 22 Avenue, south of NW 79 Street. This area maintains a mixture of apartments and social service organizations. There are numerous houses of worship along both the east and west side of NW 22 Avenue. The Caleb Center is located to the southwest of this site.

**E. SITE AND BUILDINGS:**

**Site Plan Review:** (no plans were submitted)  
**Scale/Utilization of Site:** N/A  
**Location of Buildings:** N/A

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 8**

**APPLICANT:** S & D Land Development, Inc.

**PH:** Z02-265 (02-11-CZ8-2)

**SECTION:** 10-53-41

**DATE:** February 5, 2003

**COMMISSION DISTRICT:** 2

**ITEM NO.:** A

=====

**A. INTRODUCTION**

o **REQUEST:**

RU-1 & BU-2 to RU-4M

o **SUMMARY OF REQUEST:**

The request will allow the applicant to change the zoning on the subject property from single family residential and special business districts to modified apartment house district.

o **LOCATION:**

The Southeast corner of N.W. 78 Street and N.W. 22 Avenue, Miami-Dade County, Florida.

o **SIZE:** 5.71+ Acres.

o **IMPACT:**

The rezoning of the property will provide additional housing for the community. However, the rezoning will add to the population in the area, will bring more children into the schools, will impact water and sewer services, and will bring additional traffic and noise into the area.

**B. ZONING HEARINGS HISTORY:**

In 1985, the Board of County Commissioners granted a use variance, special exception, and non-use variances that allowed a 52 unit multiple family development on private drives in the RU-1 and BU-2 zoning districts as would be permitted in the RU-3M zoning district.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2005 and 2015 Land Use plan designates the BU-2 zoned portion of the subject property as being within the Urban Development Boundary for **business and office**.
2. The Adopted 2005 and 2015 Land Use Plan designates the RU-1 zoned portion of the subject property as being within the Urban Development Boundary for **medium density residential**. The residential densities allowed in this category shall range from a minimum



## ZONING HEARING

**COMMUNITY ZONING APPEALS BOARD - 8**  
**WEDNESDAY, FEBRUARY 5, 2003 - 7:00 p.m.**  
**HENRY REEVES ELEMENTARY SCHOOL**  
**2005 NW 111 STREET, MIAMI, FLORIDA**

The list below contains zoning items which may be of interest to your immediate neighborhood.

**"This is a courtesy advertisement for a SPECIAL MEETING to be held for the continuation of the January 22, 2003, Hearing held for the Community Zoning Appeals Board-8, to allow the Board to reach a final vote. NO ADDITIONAL TESTIMONY WILL BE ALLOWED."**

**1. S & D LAND DEVELOPMENT, INC. (02-265)**

Location: The southeast corner of NW 78 Street & NW 22 Avenue, Miami-Dade County, Florida (5.71 Acres more or less)

The applicant is requesting a zone change from single-family residential district and special business district to modified apartment house district, on this site.

Multiple members of individual community councils may be present. All persons are entitled to attend and to speak at zoning hearings. However, the courts have ruled that it is improper to contact a Board member individually, either orally or in writing, about zoning applications. Those items not heard prior to the ending time for this meeting, will be deferred to the next available zoning hearing meeting date for this Board.

Registration is available to any Homeowner's Association desiring that notice be provided to its president on zoning hearings involving its area of interest. For more information on this registration procedure, please call (305) 375-2565.

If you are in need of a translator at the Hearing, one can be provided for you at no charge. To arrange for translating service, please call the Zoning Agenda Coordinator's Office at (305) 375-1244 at least two weeks in advance of the meeting date.

Maps and other data pertaining to these items are available for inspection at the **MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING**, 11th Floor, 111 NW First Street, Miami, Florida. If further information is desired, call (305) 375-2640, Hearing Section. Please refer to the hearing number when making an inquiry.

Miami-Dade County provides equal access an equal opportunity in employment and does not discriminate on the basis of disability in its programs or services. For material in alternate format, a sign language interpreter or other accommodations, please call (305) 668-4407 at least five days in advance.

\* A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at this meeting or hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based five days in advance.

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 8  
MOTION SLIP**

**Applicant Name:** S & D LAND DEVELOPMENT, INC.

**Representative:** \_\_\_\_\_

**Objectors:** \_\_\_\_\_

**Hearing No.** 02-11-CZ8-2 (02-265)

**Hearing Date:** December 3, 2002

**Resolution No.** CZAB8-\_\_\_\_-02

**Motion:**

Per Department \_\_\_\_\_

Standard Conditions: \_\_\_\_\_

Per DIC \_\_\_\_\_

Deferred to: 1/22/03

Approved as Requested \_\_\_\_\_

Withdrawal \_\_\_\_\_

Denied Without Prejudice \_\_\_\_\_

Denied With Prejudice \_\_\_\_\_

Other: Deferred to Jan. 22, 2003 due to  
time constraints

Revised plans accepted? YES \_\_\_\_\_

Covenant accepted? YES \_\_\_\_\_

**AREA 8**

	Yes	No	Absent
Winifred C. Beacham			
Bertha M. Carswell			
Kerly Cileli			
Arthemon Johnson			
Fredericke Alan Morley			
Margaret Rudolph			
Billy Hester			

**VOTE:** \_\_\_\_\_ **TO** \_\_\_\_\_

**EXHIBITS:** YES \_\_\_\_\_ NO ✓ \_\_\_\_\_

**County Attorney:** Ken Ducker 5

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 8  
MOTION SLIP

Applicant Name: S & D LAND DEVELOPMENT, INC.

Representative: Jerry Rector

Objectors: \_\_\_\_\_

Otis Boston, Queen Evans  
John Gonzalez, Patrick Cure  
Pedro Godelito, Gloria W. Gray

Hearing No. 02-11-CZ8-2 (02-265)

Hearing Date: November 19 2002

Resolution No. CZAB8-\_\_\_\_-02

**Motion:**

Per Department \_\_\_\_\_

Standard Conditions: \_\_\_\_\_

Per DIC \_\_\_\_\_

Deferred to: 12/3/02

Approved as Requested \_\_\_\_\_

Withdrawal \_\_\_\_\_

Denied Without Prejudice \_\_\_\_\_

Denied With Prejudice \_\_\_\_\_

Other: Due to a lack of time for the application  
to be heard.

Revised plans accepted? YES \_\_\_\_\_

Covenant accepted? YES \_\_\_\_\_

	Yes	No	Absent
Winifred C. Beacham			
Bertha M. Carswell			
Kerly Cilell			
Arthemon Johnson			
Fredericke Alan Morley			
Margaret Rudolph			
Billy Hester			

VOTE: \_\_\_\_\_ TO \_\_\_\_\_

EXHIBITS: YES \_\_\_\_\_ NO ✓

County Attorney: Kenneth Drucker

CASE # 200204001630 (Folio# 30-3110-057-2100)

- 5-14-02 First Inspection conducted. Property found in violation of junk vehicles.
- 5-14-02 Citation #795380 (Chapter 19-6) was posted at the property.
- 5-30-02 Compliance inspection revealed that the violation still exists.
- 6-14-02 Case has been prepared for remediation.

# TEAM METRO CALEB OFFICE

## ENFORCEMENT HISTORY

S & D LAND DEVELOPMENT, INC

THE SOUTHEAST CORNER OF  
NW 78 ST & NS 22 AVENUE,  
MIAMI-DADE COUNTY,  
FLORIDA

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APPLICANT

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ADDRESS

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2/5/2003

DATE

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02-265

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

CASE # 200204003786 (Folio# 30-3110-057-2030)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

10-21-02      Citation #888959 (Chapter 19-6) was mailed to property owner.

CASE # 200204000721 (Folio# 30-3110-057-2100)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

3-3-02      Citation #783323 (Chapter 19-5) was mailed to property owner.

3-20-02      Citation #783323 was posted at property.

4-15-02      Compliance inspection revealed that the violation still exists.

4-25-02      Case has been prepared for remediation.



**A. S & D LAND DEVELOPMENT, INC.**  
**(Applicant)**

**02-11-CZ8-2 (02-265)**  
**Area 8/District 2**  
**Hearing Date: 2/5/03**

Property Owner (if different from applicant) Same.

Is there an option to purchase ☒ / lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? The Corinthian Apartments, Ltd.

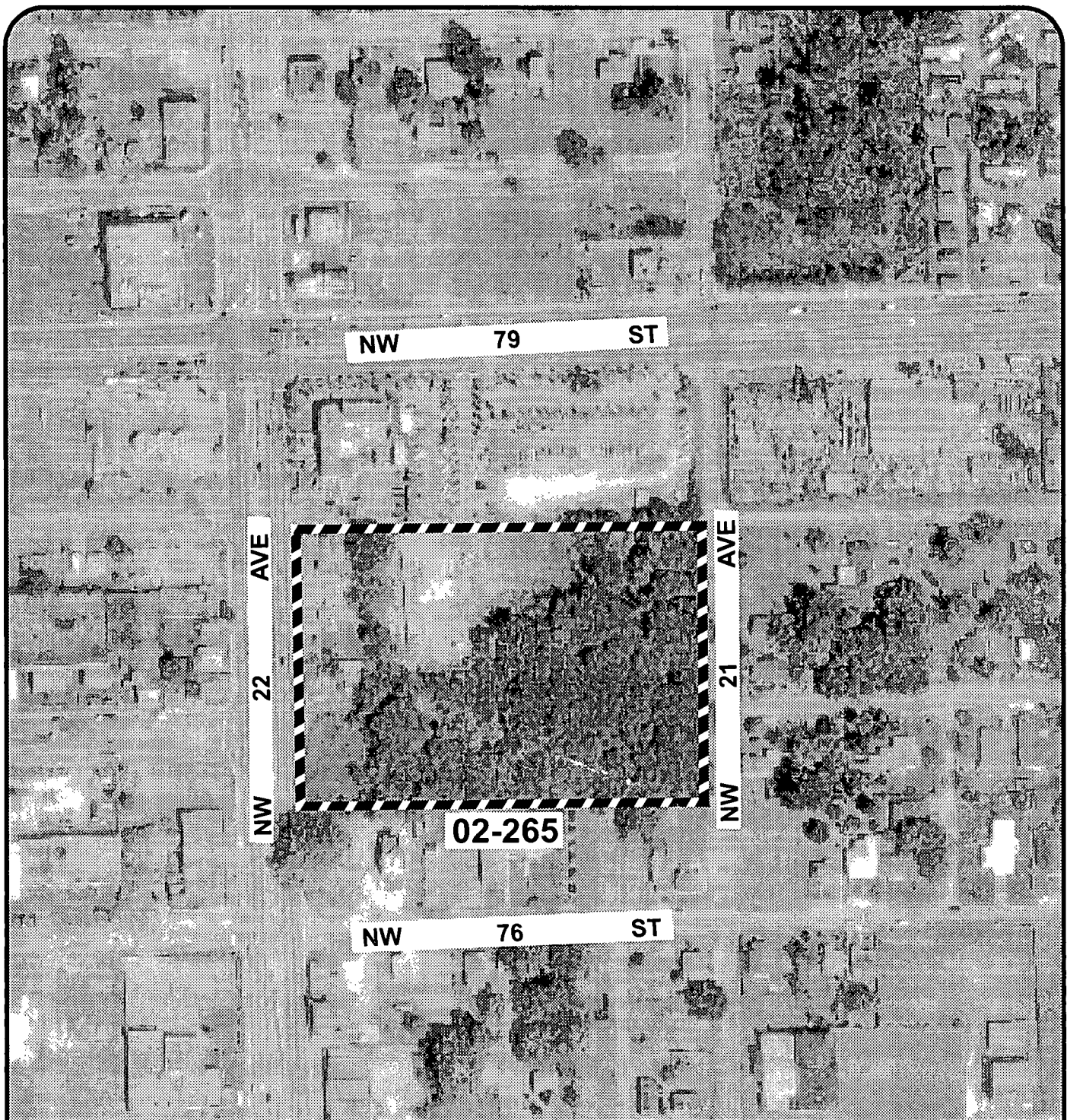
Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1985	Home & Housing of Dade	UV RU-3M in RU-1.	BCC	Approved

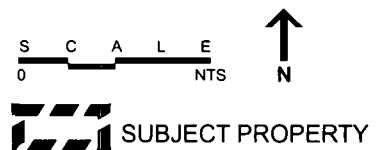
Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

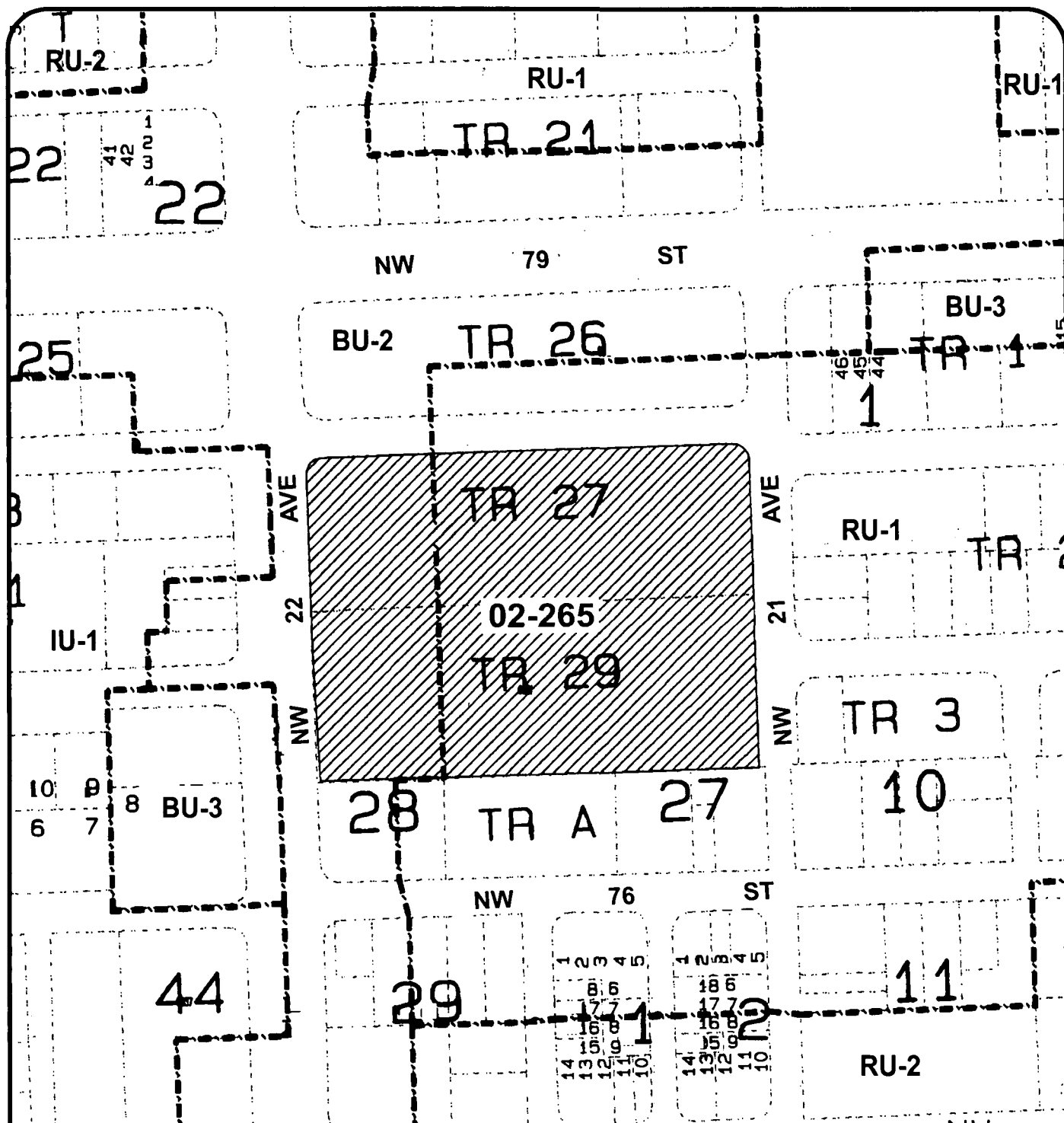
79



MIAMI-DADE COUNTY  
**AERIAL**

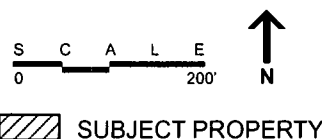
Section: 10 Township: 53 Range: 40  
Process Number: 02000265  
Applicant: S & D DEVELOPMENT  
District Number: 02  
Zoning Board: C08  
Drafter ID: CIRO  
Scale: NTS





MIAMI-DADE COUNTY  
HEARING MAP

Section: 10 Township: 53 Range: 40  
 Process Number: 02000265  
 Applicant: S & D DEVELOPMENT  
 District Number: 02  
 Zoning Board: C08  
 Drafter ID: CIRO  
 Scale: 1:200'



37



If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

The Corinthian Apartments, Ltd.  
By: PHG-Corinthian, LLC, its General Partner

Mitchell M. Friedman  
Mitchell M. Friedman

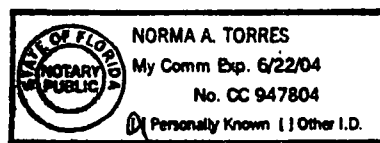
Sworn to and subscribed before me,

this 5<sup>th</sup> day of September, 2002

(SEAL)

Norma A. Torres  
Notary Public, State of Florida at Large

My Commission Expires:



\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

RECEIVED  
245  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS

Percentage of Ownership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

THE CORINTHIAN APARTMENTS, LTD.  
NAME

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

PGH-Corinthian, LLC (General Partner)  
General Partner owned by:  
Michael D. Wohl /35%

.01%

Louis Wolfson III/35%

David O. Deutch - 15%

Mitchell M. Friedman - 15%

Michael D. Wohl, an Individual

99.99%

Date of contract: July 17, 2002

35  
**RECEIVED**  
263  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

BC

## DISCLOSURE OF INTEREST\*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME

NAME, ADDRESS AND OFFICE

Percentage of Stock

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If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

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SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT

BY

*BC*

34

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

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For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.  
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

M. Turner

Sworn to and subscribed before me,

this 30 day of August, 192002

(SEAL)

C. Lechado  
Notary Public, State of Florida at Large

Concepcion Lechado  
★ My Commission CC950655  
Expires June 28, 2004

My Commission Expires: June 28, 2004

\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

RECEIVED  
265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

33

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
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If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<hr/>	<hr/>
<hr/>	<hr/>
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<hr/>	<hr/>
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Date of contract: \_\_\_\_\_

**RECEIVED**  
265  
SEP 06 2002  
32  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT  
BY BC



DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

S+D Land Development, Inc.  
CORPORATION NAME

NAME, ADDRESS, AND OFFICE

M. Turner

Percentage of Stock

100%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

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SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

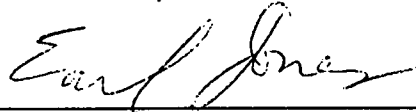
31

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board CZAB 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB8-2-03 adopted by said Community Zoning Appeals Board at its meeting held on the 5<sup>TH</sup> day of February, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 6<sup>th</sup> day of February, 2003.



\_\_\_\_\_  
Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**



Winifred C. Beacham                      aye                      Arthemon Johnson                      aye  
Bertha M. Carswell                      aye                      Fredericke Alan Morley                      aye  
Kerly Cileli                      aye                      Margaret Rudolph                      absent

Billy Hester                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community  
Zoning Appeals Board 8, that the requested district boundary change to RU-4M be and the  
same is hereby denied with prejudice.

The Director is hereby authorized to make the necessary changes and notations  
upon the maps and records of the Miami-Dade County Department of Planning and Zoning  
and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this day of 2002.

Hearing No. 02-11-CZ8-2  
ej

**RESOLUTION NO. CZAB8-2-03**

*WHEREAS*, **S & D LAND DEVELOPMENT** applied for the following:

**RU-1 & BU-2 to RU-4M**

**SUBJECT PROPERTY:** Commence at the Northeast corner of Tract 27 of REVISED PLAT OF WEST LITTLE RIVER, Plat book 34, Page 19; thence S89°59' 48"E for 25.11' to the Point of beginning of the hereinafter described parcel of land; thence S89°59' 48"E along the S/ly right-of-way line of N.W. 78<sup>th</sup> Street for 548.66' to a Point of tangency of a circular curve to the left concave to the Southeast having a radius of 25' and a central angle of 89°59' 54" for 39.27' ; thence S0°0' 18"W along the E/ly right-of-way line of N.W. 22<sup>nd</sup> Avenue for 392.1' ; thence N89°55' 20"E to a point along the W/ly right-of-way line of N.W. 21<sup>st</sup> Avenue for 596.97' ; thence N0°15' 10"W along the W/ly right-of-way line of N.W. 21<sup>st</sup> Avenue for 391.15' to a Point of tangency of a circular curve to the left concave to the Southwest having a radius of 25' and a central angle of 90°14' 58" for 39.38' to the Point of beginning.

**LOCATION:** The Southeast corner of N.W. 78 Street and N.W. 22 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-4M would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

*WHEREAS*, a motion to deny the application with prejudice was offered by Arthemon Johnson, seconded by Fredericke Alan Morley, and upon a poll of the members present the vote was as follows:

APPELLANT MUST SIGN THIS PAGE

Date: \_\_\_ day of \_\_\_\_\_, year: \_\_\_\_\_

Signed \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing  
The Corinthian Apartments, Ltd.

*Jerry B. Proctor*  
Signature

Jerry B. Proctor, Florida Bar No. 0071481

Print Name

Bilzin Sumberg Baena Price & Axelrod, LLP

200 So. Biscayne Boulevard, Suite 2500

Miami, Florida 33131

Address

(305) 350-2361

Telephone Number

Subscribed and Sworn to before me on the 5 day of February, year 2003

*Obi Diaz*  
Notary Public

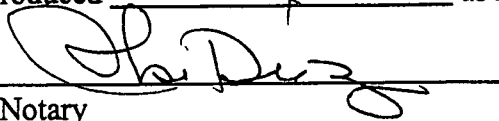
(Stamp Seal)

Commission Expires:



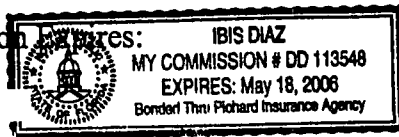
Sworn to and subscribed before me on the 5 day of February, 2008

Appellant is personally known to me or has produced \_\_\_\_\_ as identification.



Notary  
(Stamp/Seal)

Commission Expires:



**APPELLANT'S AFFIDAVIT OF STANDING**  
(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Jerry B. Proctor (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Zoning Appeals Board decision.

Appellant further states that they have standing by virtue of being of record in the Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing  
☐ 2. Original Applicant  
☐ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

**Witnesses:**

Jois Diaz  
Signature

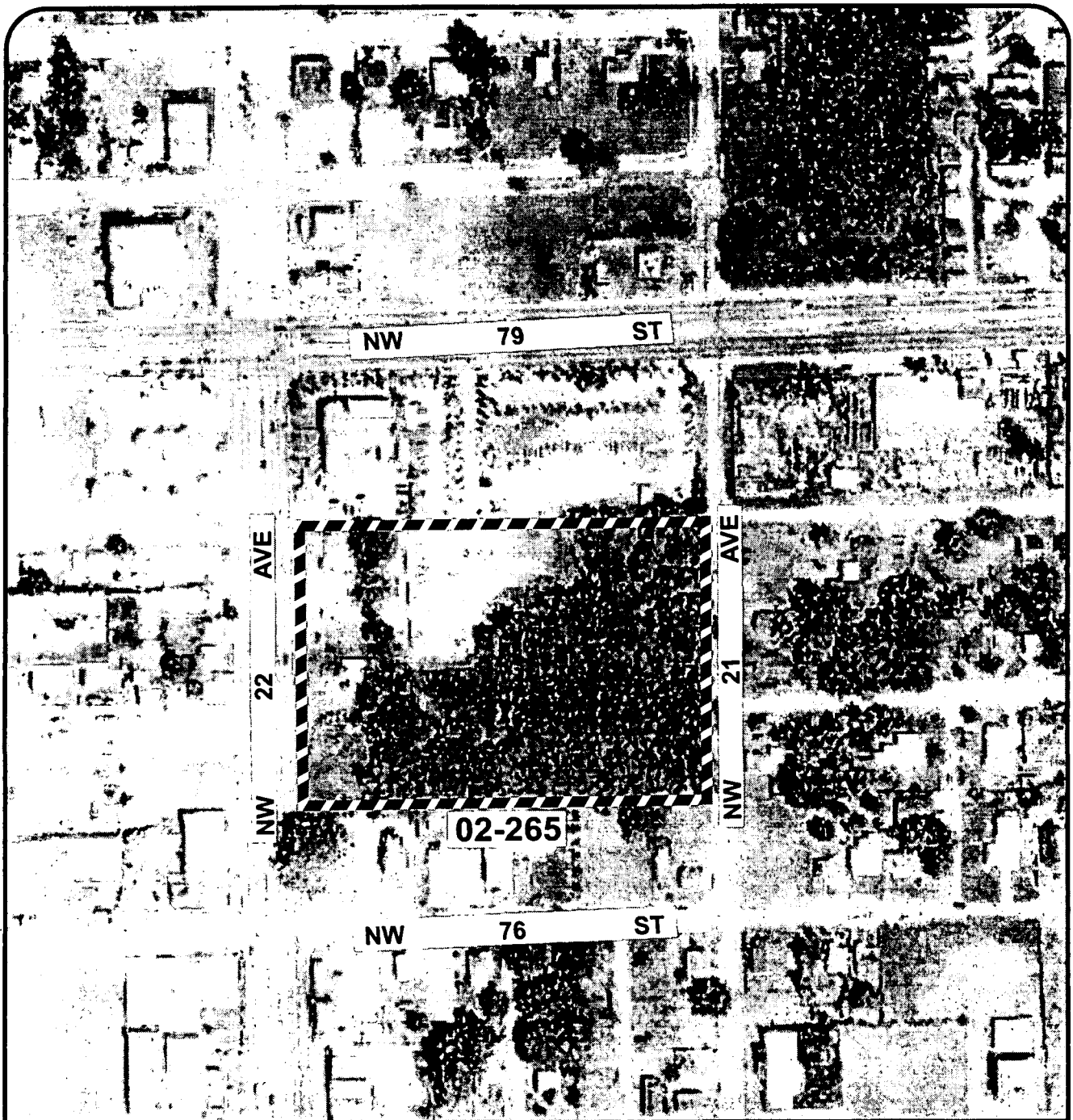
Jois Diaz  
Print Name

Giselle Pacheco  
Signature

Giselle Pacheco  
Print Name

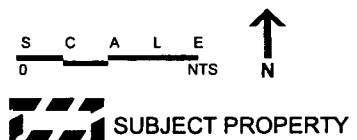
Jerry B. Proctor  
Appellant's Signature

Jerry B. Proctor  
Print Name



MIAMI-DADE COUNTY  
**AERIAL**

Section: 10 Township: 53 Range: 40  
Process Number: 02000256  
Applicant: S& D DEVELOPMENT  
District Number: 02  
Zoning Board: C08  
Drafter ID: CIRO  
Scale: NTS





**C. S & D LAND DEVELOPMENT, INC.**  
**(Applicant)**

**02-11-CZ8-2 (02-265)**  
**Area 8/District 2**  
**Hearing Date: 1/22/03**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☒ / lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? The Corithian Apartments, Ltd.

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1985	Home & Housing of Dade	UV RU-3M in RU-1.	BCC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

26

# TEAM METRO CALEB OFFICE

## ENFORCEMENT HISTORY

S & D LAND DEVELOPMENT, INC

THE SOUTHEAST CORNER OF  
NW 78 ST & NS 22 AVENUE,  
MIAMI-DADE COUNTY,  
FLORIDA

---

APPLICANT

---

ADDRESS

---

1/22/2003

---

02-265

DATE

---

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

CASE # 200204003786 (Folio# 30-3110-057-2030)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

10-21-02     Citation #888959 (Chapter 19-6) was mailed to property owner.

CASE # 200204000721 (Folio# 30-3110-057-2100)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

3-3-02        Citation #783323 (Chapter 19-5) was mailed to property owner.

3-20-02      Citation #783323 was posted at property.

4-15-02      Compliance inspection revealed that the violation still exists.

4-25-02      Case has been prepared for remediation.

CASE # 200204001630 (Folio# 30-3110-057-2100)

- 5-14-02 First Inspection conducted. Property found in violation of junk vehicles.
- 5-14-02 Citation #795380 (Chapter 19-6) was posted at the property.
- 5-30-02 Compliance inspection revealed that the violation still exists.
- 6-14-02 Case has been prepared for remediation.

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 8  
MOTION SLIP

Applicant Name: S & D LAND DEVELOPMENT, INC.

Representative: Jerry Proctor

Objectors: Otis Boston, Queen Evans  
John Gonzalez, Patrick Cure  
Pedro Godelito, Gloria W. Gopi

Hearing No. 02-11-CZ8-2 (02-265)

Hearing Date: November 19 2002

Resolution No. CZAB8-\_\_\_\_-02

**Motion:**

Per Department \_\_\_\_\_

Standard Conditions: \_\_\_\_\_

Per DIC \_\_\_\_\_

Deferred to: 12/3/02

Approved as Requested \_\_\_\_\_

Withdrawal \_\_\_\_\_

Denied Without Prejudice \_\_\_\_\_

Denied With Prejudice \_\_\_\_\_

Other: Due to a lack of time for the application  
to be heard.

Revised plans accepted? YES \_\_\_\_\_

Covenant accepted? YES \_\_\_\_\_

	Yes	No	Absent
Winifred C. Beacham			
Bertha M. Carswell			
Kerly Cilelli			
Arthemon Johnson			
Fredericke Alan Morley			
Margaret Rudolph			
Billy Hester			

VOTE: \_\_\_\_ TO \_\_\_\_

EXHIBITS: YES \_\_\_\_ NO ✓

County Attorney: Kenneth Drucker

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 8  
MOTION SLIP

Applicant Name: S & D LAND DEVELOPMENT, INC.

Representative: \_\_\_\_\_

Objectors: \_\_\_\_\_

Hearing No. 02-11-CZ8-2 (02-265)

Hearing Date: December 3, 2002

Resolution No. CZAB8-\_\_\_\_-02

**Motion:**

Per Department \_\_\_\_\_

Standard Conditions: \_\_\_\_\_

Per DIC \_\_\_\_\_

Deferred to: 1/22/03

Approved as Requested \_\_\_\_\_

Withdrawal \_\_\_\_\_

Denied Without Prejudice \_\_\_\_\_

Denied With Prejudice \_\_\_\_\_

Other: Deferred to Jan. 22, 2003 due to  
time constraints

Revised plans accepted? YES \_\_\_\_\_

Covenant accepted? YES \_\_\_\_\_

**AREA 8**

	Yes	No	Absent
Winifred C. Beacham			
Bertha M. Carswell			
Kerly Cileli			
Arthemon Johnson			
Fredericke Alan Morley			
Margaret Rudolph			
Billy Hester			

VOTE: \_\_\_\_\_ TO \_\_\_\_\_

EXHIBITS: YES \_\_\_\_\_ NO ☒

County Attorney: Ken Drucker

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 8**

**APPLICANT:** S & D Land Development, Inc.

**PH:** Z02-265 (02-11-CZ8-2)

**SECTION:** 10-53-41

**DATE:** January 22, 2003

**COMMISSION DISTRICT:** 2

**ITEM NO.:** C

=====

**A. INTRODUCTION**

o **REQUEST:**

RU-1 & BU-2 to RU-4M

o **SUMMARY OF REQUEST:**

The request will allow the applicant to change the zoning on the subject property from single family residential and special business districts to modified apartment house district.

o **LOCATION:**

The Southeast corner of N.W. 78 Street and N.W. 22 Avenue, Miami-Dade County, Florida.

o **SIZE:** 5.71± Acres.

o **IMPACT:**

The rezoning of the property will provide additional housing for the community. However, the rezoning will add to the population in the area, will bring more children into the schools, will impact water and sewer services, and will bring additional traffic and noise into the area.

**B. ZONING HEARINGS HISTORY:**

In 1985, the Board of County Commissioners granted a use variance, special exception, and non-use variances that allowed a 52 unit multiple family development on private drives in the RU-1 and BU-2 zoning districts as would be permitted in the RU-3M zoning district.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2005 and 2015 Land Use plan designates the BU-2 zoned portion of the subject property as being within the Urban Development Boundary for **business and office**.
2. The Adopted 2005 and 2015 Land Use Plan designates the RU-1 zoned portion of the subject property as being within the Urban Development Boundary for **medium density residential**. The residential densities allowed in this category shall range from a minimum

of 13 to a maximum of 25 units per gross acre. The types of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

3. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher (Land Use Element, page I-35).

**D. NEIGHBORHOOD CHARACTERISTICS:**

**ZONING**

**LAND USE PLAN DESIGNATION**

**Subject Property:**

BU-2 & RU-1; vacant parcel

Business and Office (fronting on NW 22 Avenue) & Residential, 13 to 25 du

**Surrounding Properties:**

NORTH: BU-2 & RU-1; fast food restaurant  
& used car lot

Business and Office

SOUTH: BU-2 & RU-1; church & single  
family residence

Business and Office &  
Residential, 13 to 25 du

EAST: RU-1; vacant lot & single family  
residence

Residential, 13 to 25 du

WEST: BU-2; service station

Business and Office

The subject site is located on the east side of NW 22 Avenue, south of NW 79 Street. This area maintains a mixture of apartments and social service organizations. There are numerous houses of worship along both the east and west side of NW 22 Avenue. The Caleb Center is located to the southwest of this site.

**E. SITE AND BUILDINGS:**

**Site Plan Review:** (no plans were submitted)  
**Scale/Utilization of Site:** N/A  
**Location of Buildings:** N/A

Compatibility:	N/A
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	N/A
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	111 additional students

**H. ANALYSIS:**

This application was deferred from the November 19, 2002 and December 3, 2002 meetings of the Community Zoning Appeals Board-8 due to the lack of time.

The subject property is located on the southeast corner of NW 78 Street and NW 22 Avenue. The applicant is seeking a district boundary change on the site from RU-1, Single



Family Residential District, and BU-2, Special Business District, to RU-4M, Modified Apartment House District.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application. This property requires platting and the road dedications and improvements will be accomplished through same. This property lies within the urban infill area where traffic concurrency does not apply. The Northside District of the Miami-Dade Police Department serves this area. In August, 2002, that district had an average emergency response time of 4.7 minutes.

This application will allow the applicant to provide additional housing for the community. The subject site consists of 3.81 acres of RU-1 zoned property on the easterly portion of the site and 1.9 acres of BU-2 zoned property, fronting on NW 22 Avenue, on the westerly portion of the site, for a total of 5.71 acres. RU-4M zoning permits the development of 35.9 units per acre, which would allow a total of 204 residential units on this site. However, the applicant intends to proffer a covenant limiting the development of this site to a maximum of 180 residential units and limiting the height of the development to a maximum of five stories, whereas the RU-4M zoning district permits a maximum height of eight stories and cannot exceed 100' in height. The proposed RU-4M zoning will be **compatible** with the surrounding area which consists of a fast food restaurant and used car lot to the north, a church and single family residence to the south, a service station to the west, and a vacant lot and single family residence to the east.

The Comprehensive Development Master Plan designates the RU-1 zoned portion of the site for Medium Density Residential use, up to 25 units per gross acre, on the Land Use Plan (LUP) map which allows a maximum of 95 units on that portion. The Master Plan designates the westerly BU-2 zoned portion of the site for Business and Office use. The Master Plan states that residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. In this instance, the proposed RU-4M zoning meets the aforementioned criteria. The adjacent property (the easterly portion of the subject site) is designated for Medium Density Residential use, up to 25 units per gross acre and as such, the Master Plan would allow Medium-High Residential (25 to 60 units per gross acre) on the BU-2 zoned portion of the site for a maximum of 114 units. The combined total number of units that the Master Plan would permit on the entire subject property is 209. The RU-4M zoning proposed will be inconsistent with the CDMP (on the portion of the property designated for Medium Density Residential use) without a covenant

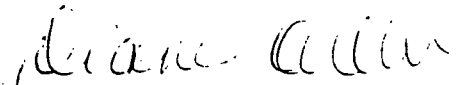
restricting the total development density. RU-4M zoning on the entire site will allow a maximum of 204 units which will be **consistent** with the Master Plan. The applicant will proffer a covenant which will limit the development of the site to a maximum of 180 residential units that will be well below the maximum permitted by the LUP map and will be **consistent** with the Master Plan. Accordingly, staff recommends approval of this application, subject to the Board's acceptance of the proffered covenant.

I. **RECOMMENDATION:**

Approval of a zone change to RU-4M, subject to the Board's acceptance of the proffered covenant.

J. **CONDITIONS:** None.

DATE INSPECTED: 10/21/02  
DATE TYPED: 10/31/02  
DATE REVISED: 11/21/02; 12/30/02; 01/06/03  
DATE FINALIZED: 01/06/03  
DO'QW:AJT:MTF:REM:JDR

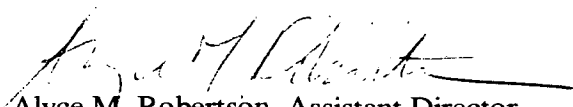


Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning

TO: Diane O' Quinn-Williams, Director  
Department of Planning and Zoning

DATE: October 8, 2002

SUBJECT: C-08 #Z2002000265  
S&D Land Development, Inc.  
SEC of NW 78<sup>th</sup> Street and NW 22<sup>nd</sup>  
Avenue  
DBC from RU-1 & BU-2 to RU-4M  
(RU-1/BU-2) (5.71 Ac.)  
10-53-41

FROM:   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection/transmission and treatment capacity, no new sewer service connections can be permitted until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is

advised to contact DERM in order to obtain additional information concerning permitting requirements.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Solid Waste Disposal Sites:

A review of DERM records indicates that within 500 feet of the subject property, the sites listed below were identified as sites with current or historical contamination issues:

Woodward Property  
2525 NW 72<sup>nd</sup> Street  
SW-1422  
Currently contaminated with solid waste material.

Gwen Cherry Park  
NW 24<sup>th</sup> Avenue & NW 71<sup>st</sup> Street  
SW-1208  
Industrial and solid waste contaminated site.

Shell  
2200 NW 79<sup>th</sup> Street  
UT-811  
Petroleum contaminated site. Currently in a state administered cleanup program.

Poinciana Industrial Park  
2230 NW 76<sup>th</sup> Street  
UT-2830  
Petroleum contaminated site. Currently in a state administered cleanup program.

Jim Holtz, Inc.  
7500 NW 22<sup>nd</sup> Avenue  
UT-530  
Petroleum contaminated site. Currently in a state administered cleanup program.

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z  
Lynne Talleda, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

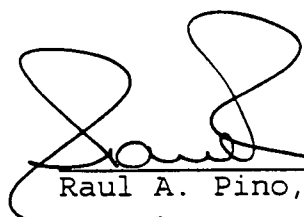
PUBLIC WORKS DEPARTMENT COMMENTS

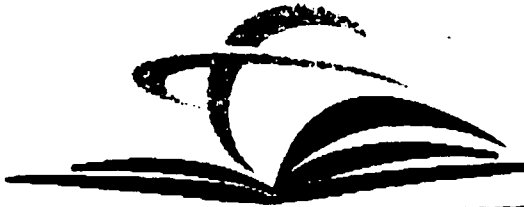
Applicant's Name: S & D Land Development, Inc.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

  
\_\_\_\_\_  
Raul A. Pino, P.L.S.  
NOV. C 4 2002  
\_\_\_\_\_  
Date



## Miami-Dade County Public Schools

*giving our students the world*

*Administrative Director*  
**Ana Rijo-Conde, AICP**

November 15, 2002

**Miami-Dade County School Board**

**Perla Tabares Hartman, Chair**

**Dr. Michael M. Krop, Vice Chair**

**Frank J. Bolaños**

**Frank J. Cobo**

**Dr. Robert B. Ingram**

**Betsy H. Kaplan**

**Manty Sabates Morse**

**Dr. Marta Pérez**

**Dr. Solomon C. Stinson**

**Ms. Ruth Ellis Myers, Acting Supervisor**  
**Miami-Dade County**  
**Department of Zoning Evaluation**  
**111 NW 1 Street, Suite 1110**  
**Miami, Florida 33128**

**Merritt R. Stierheim**

**Re: S & D Land Development, Inc. - Application No. 02-265 (CC8)**  
**Southeast Corner of NW 78 Street and NW 22 Avenue**

Dear Ms. Myers:

Please accept this letter as an expression of concern from the Miami-Dade County Public Schools (School District), over the impact of the above referenced development on the School District's public schools. Based on current attendance boundaries, the proposed development would be served by L. C. Evans Elementary, Charles R. Drew Middle and Miami Northwestern Senior High.

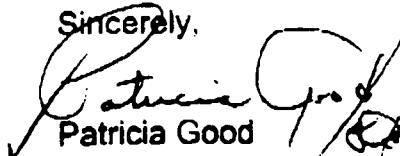
The impacted middle and senior high schools are at or above capacity, based on the data provided by the Office of Information Technology. Please see attached analysis. Also, please note that the School District's current 5-year work plan does not include any relief schools in the area.

In accordance with established School Board policy, this letter should not be construed as commentary on the merits of the pending zoning application. Rather, it is an attempt to provide relevant information to the Community Council on the public schools that will likely serve the proposed development.

Ms. Ruth Ellis Myers  
November 15, 2002  
Page Two

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

  
Patricia Good  
Coordinator III

PG:am  
L-601  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerne



**SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 02-265, S & D Land Development, Inc. (CC8)

**REQUEST:** Zone change from RU-1 & BU-2 to RU-4M

**ACRES:** 5.71± acres

**LOCATION:** Southeast Corner of NW 78 Street and NW 22 Avenue

**UNITS:** 182 additional units (22 units currently permitted under existing zoning classification and 204 units are being proposed.)

**ESTIMATED  
STUDENT  
POPULATION:** 111 additional students

**ELEMENTARY:** 60

**MIDDLE:** 27

**SENIOR:** 24

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMENTARY:** L. C. Evans Elementary - 1895 NW 75 St.

**MIDDLE:** Charles R. Drew Middle - 1801 NW 60 St.

**SENIOR HIGH:** Miami Northwestern Senior - 1100 NW 71 St.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS
L. C. Evans Elem.	291	785	37%	0
Charles Drew Middle	1296	1019	127%	241
Miami Northwestern Sr.	3134	2537	124%	83

**ADDITIONAL SCHOOL INFORMATION:** The following information was provided by school site personnel or other data sources in October 2001:

**L. C. Evans Elementary:**

Access to computers:

In each classroom, in special computer labs and in Media Center

Capital Improvements since 1990:

None

Recognition for Academic Achievement:

None

Special Programs:

Before/After-school care

Lunch schedule:

Begins at 10:45 a.m.

Non-instructional space utilized for instructional purposes:

None

Teachers required to float/travel:

Art, Music and Spanish

**Charles R. Drew Middle:**

Access to computers:

In each classroom, in special computer labs and in the Media Center

Capital Improvements since 1990:

Science Labs

Recognition for Academic Achievement:

Proclamation Silver Award

Special Programs:

Magnet programs, Enrichment and Community Classes

Lunch schedule:

Begins at 10:20 a.m.

Non-instructional space utilized for instructional purposes:

Auditorium

Teachers required to float/travel:

ESE and Social Studies

**Miami Northwestern Senior High:**

Access to computers:

In each classroom, in special computer labs and in the Media Center

Capital Improvements since 1990:

None

Recognition for Academic Achievement:  
Special Programs:Business Awards  
Magnet programs, Vocational, Enrichment and Community classes

Lunch schedule:

Begins at 10:40 a.m.

Non-instructional space utilized for instructional purposes:

None

Teachers required to float/travel:

Math, Science and ESE

**PLANNED RELIEF SCHOOLS IN THE AREA (Information as of November 2002):**

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
N/A		

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$647,463.

**CAPITAL COSTS:** Based on the 2001-2002 Adopted Budget, construction costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	60	x	\$ 14,698	=	\$ 881,880
MIDDLE	27	x	\$ 17,323	=	\$ 467,721
SENIOR	24	x	\$ 22,195	=	\$ 532,680

Total Potential Capital Cost	\$1,882,281
------------------------------	-------------

The School Board's estimated capital costs are based upon the actual costs of land acquisition, land development and construction of elementary, middle or senior high school facilities. Such costs do not include furniture, fixtures or equipment, buses or other capital costs.

# DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

S+D Land Development, Inc.  
CORPORATION NAME

<u>NAME, ADDRESS, AND OFFICE</u>	<u>Percentage of Stock</u>
<u>M. Turner</u>	<u>100%</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

**RECEIVED**  
202-265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Date of contract: \_\_\_\_\_

**RECEIVED**  
265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT

BY BC

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

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For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.  
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

M. Turner

Sworn to and subscribed before me,

this 30 day of August, 192002

(SEAL)

C. Lechado  
Notary Public, State of Florida at Large

Concepcion Lechado  
★ My Commission CC950655  
Expires June 28, 2004

My Commission Expires: June 28, 2004

\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

BC

## DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME

NAME, ADDRESS AND OFFICE

Percentage of Stock

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If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

*BC*



If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS

Percentage of Ownership

_____	_____
_____	_____
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

THE CORINTHIAN APARTMENTS, LTD.  
NAME

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

PGH-Corinthian, LLC (General Partner)	.01%
<u>General Partner owned by:</u>	
<u>Michael D. Wohl /35%</u>	_____
<u>Louis Wolfson III/35%</u>	_____
<u>David O. Deutch - 15%</u>	_____
<u>Mitchell M. Friedman - 15%</u>	_____
<u>Michael D. Wohl, an Individual</u>	<u>99.99%</u>

Date of contract: July 17, 2002

**RECEIVED**  
265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY \_\_\_\_\_

*BC*

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

The Corinthian Apartments, Ltd.

By: PHG-Corinthian, LLC, its General Partner

Mitchell M. Friedman  
Mitchell M. Friedman

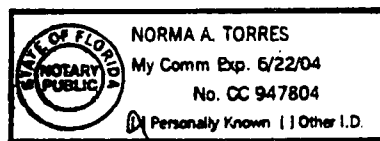
Sworn to and subscribed before me,

this 5<sup>th</sup> day of September, 2002

[Signature]  
Notary Public, State of Florida at Large

My Commission Expires:

(SEAL)

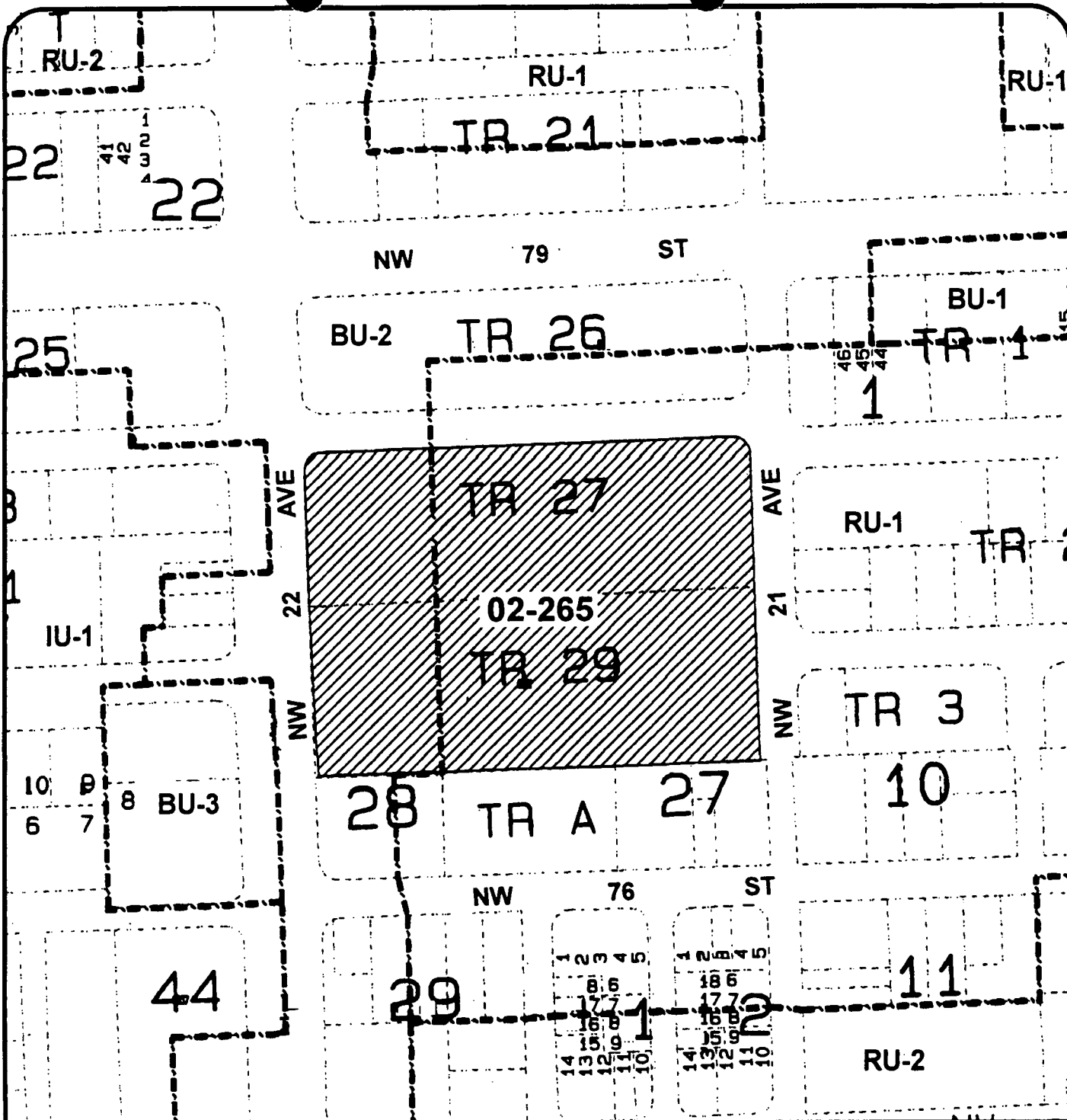


\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

RECEIVED  
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SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC



**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 10 Township: 53 Range: 40  
 Process Number: 02000256  
 Applicant: S& D DEVELOPMENT  
 District Number: 02  
 Zoning Board: C08  
 Drafter ID: CIRO  
 Scale: 1:200'


S C A L E  
 0 200' N

 SUBJECT PROPERTY



MIAMI-DADE COUNTY  
**AERIAL**

Section: 10 Township: 53 Range: 40  
Process Number: 02000256  
Applicant: S & D DEVELOPMENT  
District Number: 02  
Zoning Board: C08  
Drafter ID: CIRO  
Scale: NTS

SCALE  
0 NTS N  
 SUBJECT PROPERTY



**F. S & D LAND DEVELOPMENT, INC.**  
**(Applicant)**

**02-11-CZ8-2 (02-265)**  
**Area 8/District 2**  
**Hearing Date: 12/3/02**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☒ / lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? **The Corithian Apartments, Ltd.**

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1985	Home & Housing of Dade	UV RU-3M in RU-1.	BCC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

# TEAM METRO CALEB OFFICE

## ENFORCEMENT HISTORY

S & D LAND DEVELOPMENT, INC

THE SOUTHEAST CORNER OF  
NW 78 ST & NS 22 AVENUE,  
MIAMI-DADE COUNTY,  
FLORIDA

---

APPLICANT

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ADDRESS

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12/3/02

DATE

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02-265

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

CASE # 200204003786 (Folio# 30-3110-057-2030)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

10-21-02      Citation #888959 (Chapter 19-6) was mailed to property owner.

CASE # 200204000721 (Folio# 30-3110-057-2100)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

3-3-02      Citation #783323 (Chapter 19-5) was mailed to property owner.

3-20-02      Citation #783323 was posted at property.

4-15-02      Compliance inspection revealed that the violation still exists.

4-25-02      Case has been prepared for remediation.

CASE # 200204001630 (Folio# 30-3110-057-2100)

5-14-02      First Inspection conducted. Property found in violation of junk vehicles.

5-14-02      Citation #795380 (Chapter 19-6) was posted at the property.

5-30-02      Compliance inspection revealed that the violation still exists.

6-14-02      Case has been prepared for remediation.

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 8  
MOTION SLIP

Applicant Name: S & D LAND DEVELOPMENT, INC.

Representative: Jerry Rector

Objectors: Otis Boston, Queen Evan  
John Gonzalez, Patrick Cur  
Pedro Godelito, Gloria W. Gra,

Hearing No. 02-11-CZ8-2 (02-265)

Hearing Date: November 18, 2002

Resolution No. CZAB8-\_\_\_\_-02

**Motion:**

Per Department \_\_\_\_\_

Standard Conditions: \_\_\_\_\_

Per DIC \_\_\_\_\_

Deferred to: 12/3/02

Approved as Requested \_\_\_\_\_

Withdrawal \_\_\_\_\_

Denied Without Prejudice \_\_\_\_\_

Denied With Prejudice \_\_\_\_\_

Other: Due to a lack of time for the application  
to be heard.

Revised plans accepted? YES \_\_\_\_\_

Covenant accepted? YES \_\_\_\_\_

	Yes	No	Absent
Winifred C. Beacham			
Bertha M. Carswell			
Kerly Cileli			
Arthemon Johnson			
Fredericke Alan Morley			
Margaret Rudolph			
Billy Hester			

VOTE: \_\_\_\_ TO \_\_\_\_

EXHIBITS: YES \_\_\_\_ NO ✓

County Attorney: Kenneth Drucker



**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 8**

**APPLICANT:** S & D Land Development, Inc.

**PH:** Z02-265 (02-11-CZ8-2)

**SECTION:** 10-53-41

**DATE:** December 3, 2002

**COMMISSION DISTRICT:** 2

**ITEM NO.:** F

**A. INTRODUCTION**

o **REQUEST:**

RU-1 & BU-2 to RU-4M

o **SUMMARY OF REQUEST:**

The request will allow the applicant to change the zoning on the subject property from single family residential and special business districts to modified apartment house district.

o **LOCATION:**

The Southeast corner of N.W. 78 Street and N.W. 22 Avenue, Miami-Dade County, Florida.

o **SIZE:** 5.71± Acres.

o **IMPACT:**

The rezoning of the property will provide additional housing for the community. However, the rezoning will add to the population in the area, will bring more children into the schools, will impact water and sewer services, and will bring additional traffic and noise into the area.

**B. ZONING HEARINGS HISTORY:**

In 1985, the Board of County Commissioners granted a use variance, special exception, and non-use variances that allowed a 52 unit multiple family development on private drives in the RU-1 and BU-2 zoning districts as would be permitted in the RU-3M zoning district.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2005 and 2015 Land Use plan designates the BU-2 zoned portion of the subject property as being within the Urban Development Boundary for **business and office**.
2. The Adopted 2005 and 2015 Land Use Plan designates the RU-1 zoned portion of the subject property as being within the Urban Development Boundary for **medium density residential**. The residential densities allowed in this category shall range from a minimum

of 13 to a maximum of 25 units per gross acre. The types of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

3. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher (Land Use Element, page I-35).

**D. NEIGHBORHOOD CHARACTERISTICS:**

**ZONING**

**LAND USE PLAN DESIGNATION**

**Subject Property:**

BU-2 & RU-1; vacant parcel

Business and Office (fronting on NW 22 Avenue) & Residential, 13 to 25 dua

**Surrounding Properties:**

NORTH: BU-2 & RU-1; fast food restaurant  
& used car lot

Business and Office

SOUTH: BU-2 & RU-1; church & single  
family residence

Business and Office &  
Residential, 13 to 25 dua

EAST: RU-1; vacant lot & single family  
residence

Residential, 13 to 25 dua

WEST: BU-2; service station

Business and Office

The subject site is located on the east side of NW 22 Avenue, south of NW 79 Street. This area maintains a mixture of apartments and social service organizations. There are numerous houses of worship along both the east and west side of NW 22 Avenue. The Caleb Center is located to the southwest of this site.

**E. SITE AND BUILDINGS:**

**Site Plan Review:** (no plans were submitted)  
**Scale/Utilization of Site:** N/A  
**Location of Buildings:** N/A

Compatibility:	N/A
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	N/A
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	111 additional students

**H. ANALYSIS:**

This application was deferred from the November 19, 2002 meeting of the Community Zoning Appeals Board-8 due the lack of time.

The subject property is located on the southeast corner of NW 78 Street and NW 22 Avenue. The applicant is seeking a district boundary change on the site from RU-1, Single

Family Residential District, and BU-2, Special Business District, to RU-4M, Modified Apartment House District.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application. This property requires platting and the road dedications and improvements will be accomplished through same. This property lies within the urban infill area where traffic concurrency does not apply. The Northside District of the Miami-Dade Police Department serves this area. In July, 2002, that district had an average emergency response time of 4.4 minutes.

This application will allow the applicant to provide additional housing for the community. The subject site consists of 3.81 acres of RU-1 zoned property on the easterly portion of the site and 1.9 acres of BU-2 zoned property, fronting on NW 22 Avenue, on the westerly portion of the site, for a total of 5.71 acres. RU-4M zoning permits the development of 35.9 units per acre, which would allow a total of 204 residential units on this site. However, the applicant intends to proffer a covenant limiting the development of this site to a maximum of 180 residential units and limiting the height of the development to a maximum of five stories, whereas the RU-4M zoning district permits a maximum height of eight stories and cannot exceed 100' in height. The proposed RU-4M zoning will be **compatible** with the surrounding area which consists of a fast food restaurant and used car lot to the north, a church and single family residence to the south, a service station to the west, and a vacant lot and single family residence to the east.

The Comprehensive Development Master Plan designates the RU-1 zoned portion of the site for Medium Density Residential use, up to 25 units per gross acre, on the Land Use Plan (LUP) map which allows a maximum of 95 units on that portion. The Master Plan designates the westerly BU-2 zoned portion of the site for Business and Office use. The Master Plan states that residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. In this instance, the proposed RU-4M zoning meets the aforementioned criteria. The adjacent property (the easterly portion of the subject site) is designated for Medium Density Residential use, up to 25 units per gross acre and as such, the Master Plan would allow Medium-High Residential (25 to 60 units per gross acre) on the BU-2 zoned portion of the site for a maximum of 114 units. The combined total number of units that the Master Plan would permit on the entire subject property is 209. The RU-4M zoning proposed will be inconsistent with the CDMP (on the portion of the property designated for Medium Density Residential use) without a covenant

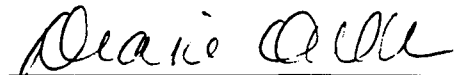
restricting the total development density. RU-4M zoning will allow a maximum of 204 units which will be **consistent** with the Master Plan. The applicant will proffer a covenant which will limit the development of the site to a maximum of 180 residential units that will be well below the maximum permitted by the LUP map and will be **consistent** with the Master Plan. Accordingly, staff recommends approval of this application, subject to the Board's acceptance of the proffered covenant.

I. **RECOMMENDATION:**

Approval of a zone change to RU-4M, subject to the Board's acceptance of the proffered covenant.

J. **CONDITIONS:** None.

DATE INSPECTED: 10/21/02  
DATE TYPED: 10/31/02  
DATE REVISED: 11/21/02  
DATE FINALIZED: 11/21/02  
DO'QW:AJT:MTF:REM:JDR



Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning




# MEMORANDUM



TO: Diane O' Quinn-Williams, Director  
Department of Planning and Zoning

DATE: October 8, 2002

SUBJECT: C-08 #Z2002000265  
S&D Land Development, Inc.  
SEC of NW 78<sup>th</sup> Street and NW 22<sup>nd</sup>  
Avenue  
DBC from RU-1 & BU-2 to RU-4M  
(RU-1/BU-2) (5.71 Ac.)  
10-53-41

FROM:   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection/transmission and treatment capacity, no new sewer service connections can be permitted until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is

advised to contact DERM in order to obtain additional information concerning permitting requirements.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Solid Waste Disposal Sites:

A review of DERM records indicates that within 500 feet of the subject property, the sites listed below were identified as sites with current or historical contamination issues:

Woodward Property  
2525 NW 72<sup>nd</sup> Street  
SW-1422  
Currently contaminated with solid waste material.

Gwen Cherry Park  
NW 24<sup>th</sup> Avenue & NW 71<sup>st</sup> Street  
SW-1208  
Industrial and solid waste contaminated site.

Shell  
2200 NW 79<sup>th</sup> Street  
UT-811  
Petroleum contaminated site. Currently in a state administered cleanup program.

Poinciana Industrial Park  
2230 NW 76<sup>th</sup> Street  
UT-2830  
Petroleum contaminated site. Currently in a state administered cleanup program.

Jim Holtz, Inc.  
7500 NW 22<sup>nd</sup> Avenue  
UT-530  
Petroleum contaminated site. Currently in a state administered cleanup program

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z  
Lynne Talleda, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z



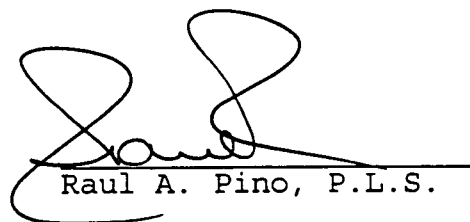
PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: S & D Land Development, Inc.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A. Pino, P.L.S.

NOV. C 4 2002

Date



# Miami-Dade County Public Schools

*giving our students the world*

*Administrative Director*  
**Ana Rijo-Conde, AICP**

**November 15, 2002**

**Miami-Dade County School Board**

**Perla Tabares Hantman, Chair**

**Dr. Michael M. Krop, Vice Chair**

**Frank J. Boleños**

**Frank J. Cobo**

**Dr. Robert B. Ingram**

**Betsy H. Kaplan**

**Manty Sabates Morse**

**Dr. Marta Pérez**

**Dr. Solomon C. Stinson**

**Ms. Ruth Ellis Myers, Acting Supervisor**  
**Miami-Dade County**  
**Department of Zoning Evaluation**  
**111 NW 1 Street, Suite 1110**  
**Miami, Florida 33128**

**Merritt R. Stierheim**

**Re: S & D Land Development, Inc. - Application No. 02-265 (CC8)**  
**Southeast Corner of NW 78 Street and NW 22 Avenue**

**Dear Ms. Myers:**

Please accept this letter as an expression of concern from the Miami-Dade County Public Schools (School District), over the impact of the above referenced development on the School District's public schools. Based on current attendance boundaries, the proposed development would be served by L. C. Evans Elementary, Charles R. Drew Middle and Miami Northwestern Senior High.

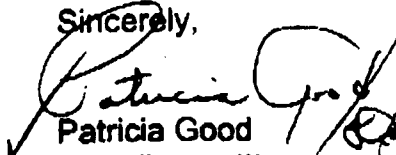
The impacted middle and senior high schools are at or above capacity, based on the data provided by the Office of Information Technology. Please see attached analysis. Also, please note that the School District's current 5-year work plan does not include any relief schools in the area.

In accordance with established School Board policy, this letter should not be construed as commentary on the merits of the pending zoning application. Rather, it is an attempt to provide relevant information to the Community Council on the public schools that will likely serve the proposed development.

Ms. Ruth Ellis Myers  
November 15, 2002  
Page Two

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

  
Patricia Good  
Coordinator III

PG:am  
L-601  
Attachment

cc: Ms. Ana Rijo-Conde  
Mr. Fernando Albuerne

**SCHOOL IMPACT REVIEW ANALYSIS**

**APPLICATION:** No. 02-265, S & D Land Development, Inc. (CC8)

**REQUEST:** Zone change from RU-1 & BU-2 to RU-4M

**ACRES:** 5.71± acres

**LOCATION:** Southeast Corner of NW 78 Street and NW 22 Avenue

**UNITS:** 182 additional units (22 units currently permitted under existing zoning classification and 204 units are being proposed.)

**ESTIMATED  
STUDENT  
POPULATION:** 111 additional students

**ELEMENTARY:** 60

**MIDDLE:** 27

**SENIOR:** 24

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMENTARY:** L. C. Evans Elementary - 1895 NW 75 St.

**MIDDLE:** Charles R. Drew Middle - 1801 NW 60 St.

**SENIOR HIGH:** Miami Northwestern Senior - 1100 NW 71 St.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS
L. C. Evans Elem.	291	785	37%	0
Charles Drew Middle	1296	1019	127%	241
Miami Northwestern Sr.	3134	2537	124%	83

**ADDITIONAL SCHOOL INFORMATION:** The following information was provided by school site personnel or other data sources in October 2001:

**L. C. Evans Elementary:**

Access to computers:

In each classroom, in special computer labs and in Media Center

Capital Improvements since 1990:

None

Recognition for Academic Achievement:

None

Special Programs:

Before/After-school care

Lunch schedule:

Begins at 10:45 a.m.

Non-instructional space utilized for instructional purposes:

None

Teachers required to float/travel:

Art, Music and Spanish

**Charles R. Drew Middle:**

Access to computers:

In each classroom, in special computer labs and in the Media Center

Capital Improvements since 1990:

Science Labs

Recognition for Academic Achievement:

Proclamation Silver Award

Special Programs:

Magnet programs, Enrichment and Community Classes

Lunch schedule:

Begins at 10:20 a.m.

Non-instructional space utilized for instructional purposes:

Auditorium

Teachers required to float/travel:

ESE and Social Studies

**Miami Northwestern Senior High:**

Access to computers:

In each classroom, in special computer labs and in the Media Center

Capital Improvements since 1990:

None

Recognition for Academic Achievement:

Business Awards

Special Programs:

Magnet programs, Vocational, Enrichment and Community classes

Lunch schedule:

Begins at 10:40 a.m.

Non-instructional space utilized for instructional purposes:

None

Teachers required to float/travel:

Math, Science and ESE

**PLANNED RELIEF SCHOOLS IN THE AREA (Information as of November 2002):**

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
N/A		

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$647,463.

**CAPITAL COSTS:** Based on the 2001-2002 Adopted Budget, construction costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	60	x	\$ 14,698	=	\$ 881,880
MIDDLE	27	x	\$ 17,323	=	\$ 467,721
SENIOR	24	x	\$ 22,195	=	\$ 532,680

Total Potential Capital Cost	\$1,882,281
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The School Board's estimated capital costs are based upon the actual costs of land acquisition, land development and construction of elementary, middle or senior high school facilities. Such costs do not include furniture, fixtures or equipment, buses or other capital costs.

# DISCLOSURE OF INTEREST\*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

S+D Land Development, Inc.  
CORPORATION NAME

<u>NAME, ADDRESS, AND OFFICE</u>	<u>Percentage of Stock</u>
<u>M. Turner</u>	<u>100%</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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**RECEIVED**  
202-265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY BC



If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<hr/>	<hr/>
<hr/>	<hr/>
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<hr/>	<hr/>
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If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
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<hr/>	<hr/>

Date of contract: \_\_\_\_\_

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY BC

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

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For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

M. Turner

Sworn to and subscribed before me,

this 30 day of August, 2002

(SEAL)

C. Lechado

Notary Public, State of Florida at Large

Concepcion Lechado  
★ My Commission CC950555  
Expires June 28, 2004

My Commission Expires: June 28, 2004

\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY BC

22

## DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME

NAME, ADDRESS AND OFFICE

Percentage of Stock

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If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

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SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

23

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS

Percentage of Ownership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

THE CORINTHIAN APARTMENTS, LTD.  
NAME

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

PGH-Corinthian, LLC (General Partner)

.01%

General Partner owned by:

Michael D. Wohl /35%

Louis Wolfson III/35%

David O. Deutch - 15%

Mitchell M. Friedman - 15%

Michael D. Wohl, an Individual

99.99%

Date of contract: July 17, 2002

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265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

BC 24

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

The Corinthian Apartments, Ltd.  
By: PHG-Corinthian, LLC, its General Partner

Mitchell M. Friedman  
Mitchell M. Friedman

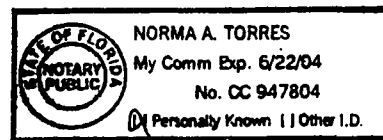
Sworn to and subscribed before me,

this 5<sup>th</sup> day of September, 2002

Norma A. Torres  
Notary Public, State of Florida at Large

My Commission Expires:

(SEAL)

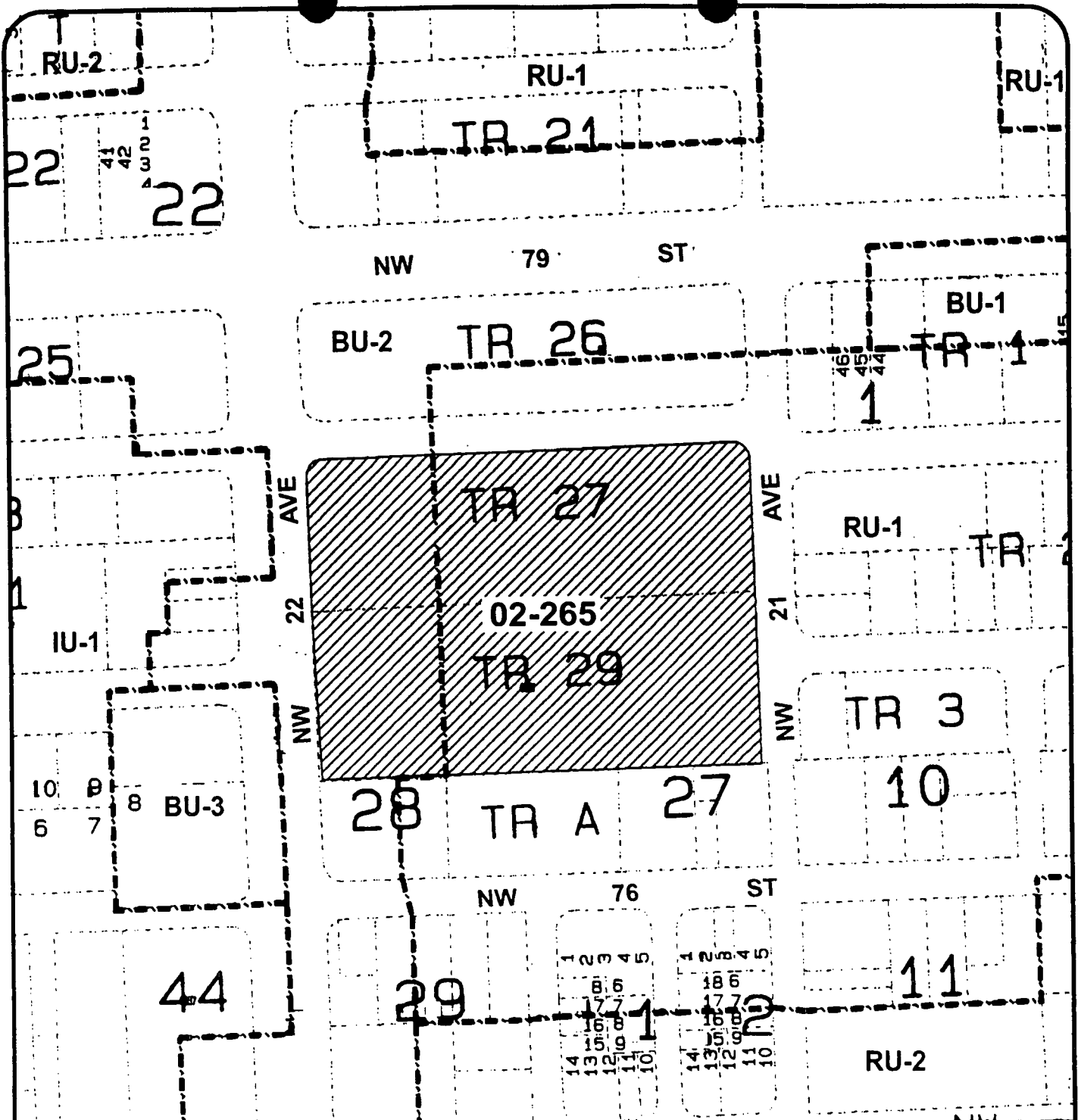


\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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SEP 06 2002

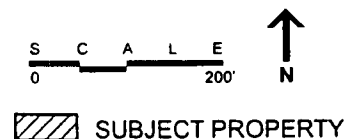
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

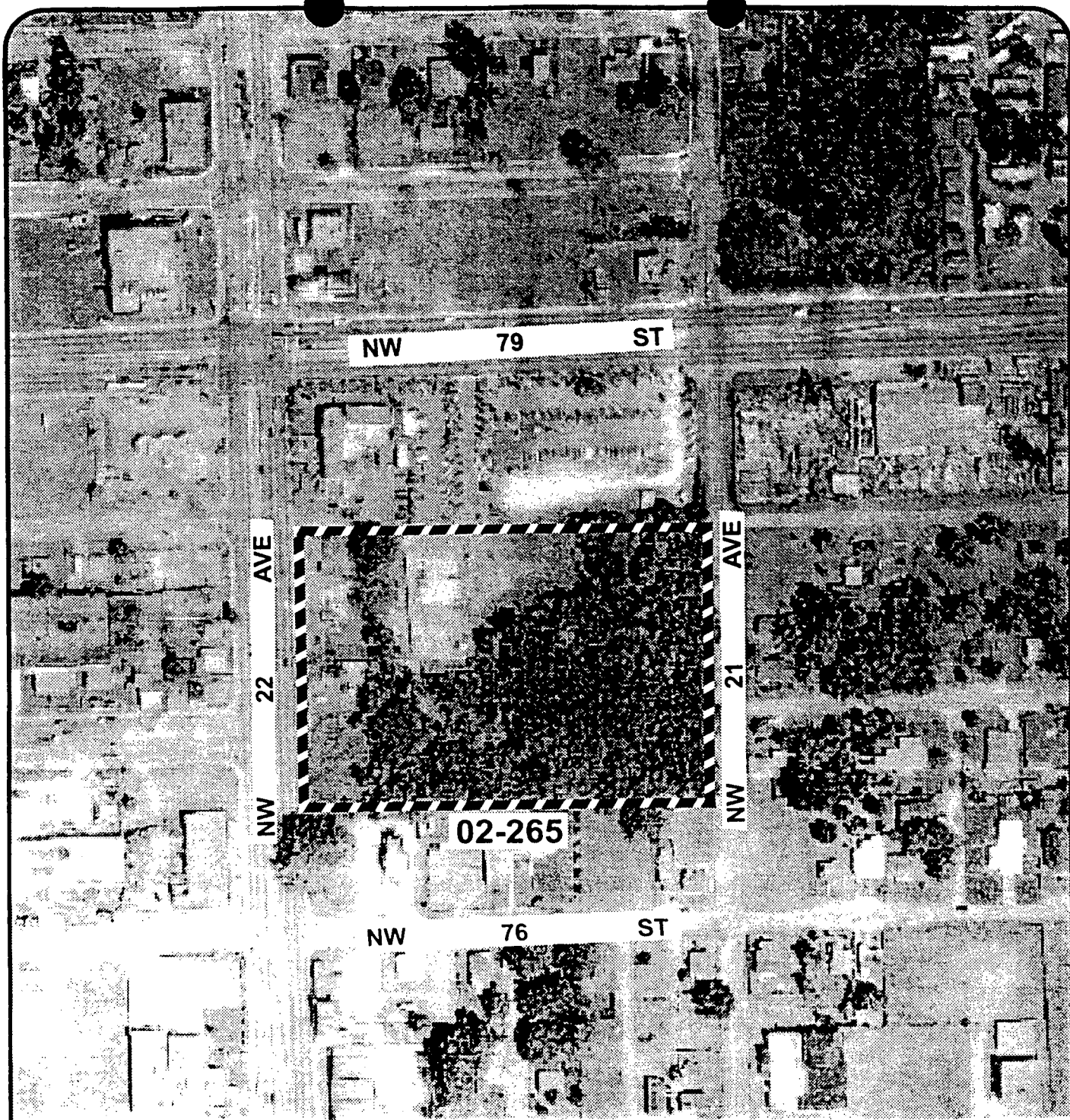
BY BC



# MIAMI-DADE COUNTY HEARING MAP

Section: 10 Township: 53 Range: 40  
 Process Number: 02000256  
 Applicant: S& D DEVELOPMENT  
 District Number: 02  
 Zoning Board: C08  
 Drafter ID: CIRO  
 Scale: 1:200'





MIAMI-DADE COUNTY  
**AERIAL**

Section: 10 Township: 53 Range: 40  
Process Number: 02000256  
Applicant: S & D DEVELOPMENT  
District Number: 02  
Zoning Board: C08  
Drafter ID: CIRO  
Scale: NTS

S C A L E  
0 NTS N

 SUBJECT PROPERTY



**2. S & D LAND DEVELOPMENT, INC.**  
**(Applicant)**

**02-11-CZ8-2 (02-265)**  
**Area 8/District 2**  
**Hearing Date: 11/19/02**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☒ / lease ☐ the property predicated on the approval of the zoning request? Yes ☒ No ☐

If so, who are the interested parties? **The Corithian Apartments, Ltd.**

Disclosure of interest form attached? Yes ☒ No ☐

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1985	Home & Housing of Dade	UV RU-3M in RU-1.	BCC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.



# TEAM METRO CALEB OFFICE

## ENFORCEMENT HISTORY

S & D LAND DEVELOPMENT, INC

THE SOUTHEAST CORNER OF  
NW 78 ST & NS 22 AVENUE,  
MIAMI-DADE COUNTY,  
FLORIDA

---

APPLICANT

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ADDRESS

---

11-19-2002

DATE

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02-265

HEARING NUMBER

### CURRENT ENFORCEMENT HISTORY:

CASE # 200204003786 (Folio# 30-3110-057-2030)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

10-21-02      Citation #888959 (Chapter 19-6) was mailed to property owner.

CASE # 200204000721 (Folio# 30-3110-057-2100)

2-28-02      First Inspection conducted. Property found in violation of overgrowth.

3-3-02      Citation #783323 (Chapter 19-5) was mailed to property owner.

3-20-02      Citation #783323 was posted at property.

4-15-02      Compliance inspection revealed that the violation still exists.

4-25-02      Case has been prepared for remediation.

CASE # 200204001630 (Folio# 30-3110-057-2100)

5-14-02      First Inspection conducted. Property found in violation of junk vehicles.

5-14-02      Citation #795380 (Chapter 19-6) was posted at the property.

5-30-02      Compliance inspection revealed that the violation still exists.

6-14-02      Case has been prepared for remediation.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 8**

**APPLICANT:** S & D Land Development, Inc.

**PH:** Z02-265 (02-11-CZ8-2)

**SECTION:** 10-53-41

**DATE:** November 19, 2002

**COMMISSION DISTRICT:** 2

**ITEM NO.:** 2

**A. INTRODUCTION**

o **REQUEST:**

RU-1 & BU-2 to RU-4M

o **SUMMARY OF REQUEST:**

The request will allow the applicant to change the zoning on the subject property from single family residential and special business districts to modified apartment house district.

o **LOCATION:**

The Southeast corner of N.W. 78 Street and N.W. 22 Avenue, Miami-Dade County, Florida.

o **SIZE:** 5.71± Acres.

o **IMPACT:**

The rezoning of the property will provide additional housing for the community. However, the rezoning will add to the population in the area, will bring more children into the schools, will impact water and sewer services, and will bring additional traffic and noise into the area.

**B. ZONING HEARINGS HISTORY:**

In 1985, the Board of County Commissioners granted a use variance, special exception, and non-use variances that allowed a 52 unit multiple family development on private drives in the RU-1 and BU-2 zoning districts as would be permitted in the RU-3M zoning district.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2005 and 2015 Land Use plan designates the BU-2 zoned portion of the subject property as being within the Urban Development Boundary for **business and office**.
2. The Adopted 2005 and 2015 Land Use Plan designates the RU-1 zoned portion of the subject property as being within the Urban Development Boundary for **medium density residential**. The residential densities allowed in this category shall range from a minimum

of 13 to a maximum of 25 units per gross acre. The types of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

3. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher (Land Use Element, page I-35).

**D. NEIGHBORHOOD CHARACTERISTICS:**

**ZONING**

**LAND USE PLAN DESIGNATION**

**Subject Property:**

BU-2 & RU-1; vacant parcel

Business and Office (fronting on NW 22 Avenue) & Residential, 13 to 25 dua

**Surrounding Properties:**

NORTH: BU-2 & RU-1; fast food restaurant  
& used car lot

Business and Office

SOUTH: BU-2 & RU-1; church & single  
family residence

Business and Office &  
Residential, 13 to 25 dua

EAST: RU-1; vacant lot & single family  
residence

Residential, 13 to 25 dua

WEST: BU-2; service station

Business and Office

The subject site is located on the east side of NW 22 Avenue, south of NW 79 Street. This area maintains a mixture of apartments and social service organizations. There are numerous houses of worship along both the east and west side of NW 22 Avenue. The Caleb Center is located to the southwest of this site.

**E. SITE AND BUILDINGS:**

**Site Plan Review:** (no plans were submitted)  
**Scale/Utilization of Site:** N/A  
**Location of Buildings:** N/A

Compatibility:	N/A
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	N/A
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

**H. ANALYSIS:**

The subject property is located on the southeast corner of NW 78 Street and NW 22 Avenue. The applicant is seeking a district boundary change on the site from RU-1, Single Family Residential District, and BU-2, Special Business District, to RU-4M, Modified Apartment House District.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application. This property requires platting and the road dedications and improvements will be accomplished through same. This property lies within the urban infill area where traffic concurrency does not apply. The Northside District of the Miami-Dade Police Department serves this area. In July, 2002, that district had an average emergency response time of 4.4 minutes.

This application will allow the applicant to provide additional housing for the community. The subject site consists of 3.81 acres of RU-1 zoned property on the easterly portion of the site and 1.9 acres of BU-2 zoned property, fronting on NW 22 Avenue, on the westerly portion of the site, for a total of 5.71 acres. RU-4M zoning permits the development of 35.9 units per acre, which would allow a total of 204 residential units on this site. However, the applicant intends to proffer a covenant limiting the development of this site to a maximum of 180 residential units and limiting the height of the development to a maximum of five stories, whereas the RU-4M zoning district permits a maximum height of eight stories and cannot exceed 100' in height. The proposed RU-4M zoning will be **compatible** with the surrounding area which consists of a fast food restaurant and used car lot to the north, a church and single family residence to the south, a service station to the west, and a vacant lot and single family residence to the east.

The Comprehensive Development Master Plan designates the RU-1 zoned portion of the site for Medium Density Residential use, up to 25 units per gross acre, on the Land Use Plan (LUP) map which allows a maximum of 95 units on that portion. The Master Plan designates the westerly BU-2 zoned portion of the site for Business and Office use. The Master Plan states that residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP - designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. In this instance, the proposed RU-4M zoning meets the aforementioned criteria. The adjacent property (the easterly portion of the subject site) is designated for Medium Density Residential use, up to 25 units per gross acre and as such, the Master Plan would allow Medium-High Residential (25 to 60 units per gross acre) on the BU-2 zoned portion of the site for a maximum of 114 units. The combined total number of units that the Master Plan would permit on the entire subject property is 209. The RU-4M zoning proposed will be inconsistent with the CDMP (on the portion of the property designated for Medium Density Residential use) without a covenant restricting the total development density. RU-4M zoning will allow a maximum of 204 units which will be **consistent** with the Master Plan. The applicant will proffer a covenant which will limit the development of the site to a maximum of 180 residential units that will be well

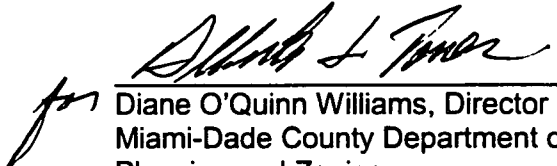
below the maximum permitted by the LUP map and will be **consistent** with the Master Plan. Accordingly, staff recommends approval of this application, subject to the Board's acceptance of the proffered covenant.

I. **RECOMMENDATION:**

Approval of a zone change to RU-4M, subject to the Board's acceptance of the proffered covenant.

J. **CONDITIONS:** None.

DATE INSPECTED: 10/21/02  
DATE TYPED: 10/31/02  
DATE REVISED:  
DATE FINALIZED: 11/07/02  
DO'QW:AJT:MTF:REM:JDR

  
\_\_\_\_\_  
Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning




# MEMORANDUM



TO: Diane O' Quinn-Williams, Director  
Department of Planning and Zoning

DATE: October 8, 2002

SUBJECT: C-08 #Z2002000265  
S&D Land Development, Inc.  
SEC of NW 78<sup>th</sup> Street and NW 22<sup>nd</sup>  
Avenue  
DBC from RU-1 & BU-2 to RU-4M  
(RU-1/BU-2) (5.71 Ac.)  
10-53-41

FROM:   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection/transmission and treatment capacity, no new sewer service connections can be permitted until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A Standard General Environmental Resource Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is



advised to contact DERM in order to obtain additional information concerning permitting requirements.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Solid Waste Disposal Sites:

A review of DERM records indicates that within 500 feet of the subject property, the sites listed below were identified as sites with current or historical contamination issues:

Woodward Property  
2525 NW 72<sup>nd</sup> Street  
SW-1422  
Currently contaminated with solid waste material.

Gwen Cherry Park  
NW 24<sup>th</sup> Avenue & NW 71<sup>st</sup> Street  
SW-1208  
Industrial and solid waste contaminated site.

Shell  
2200 NW 79<sup>th</sup> Street  
UT-811  
Petroleum contaminated site. Currently in a state administered cleanup program.

Poinciana Industrial Park  
2230 NW 76<sup>th</sup> Street  
UT-2830  
Petroleum contaminated site. Currently in a state administered cleanup program.

Jim Holtz, Inc.  
7500 NW 22<sup>nd</sup> Avenue  
UT-530  
Petroleum contaminated site. Currently in a state administered cleanup program.

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. Consequently, DERM will require the preservation of all the specimen-sized trees, as defined in the Code. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements prior to development of site and landscaping plans.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z  
Lynne Talleda, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

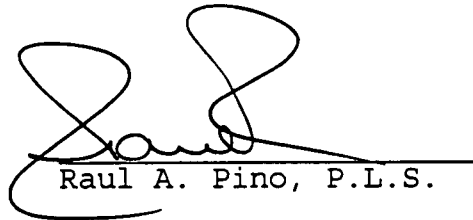
PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: S & D Land Development, Inc.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

  
Raul A. Pino, P.L.S.  
NOV. C 4 2002  
Date

DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

S+D Land Development, Inc.  
CORPORATION NAME

NAME, ADDRESS, AND OFFICE

M. Turner

Percentage of Stock

100%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

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202-265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

BC

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME \_\_\_\_\_

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: \_\_\_\_\_

**RECEIVED**  
265  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC 14

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

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For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature:  
(Applicant)

M. Turner

Sworn to and subscribed before me,

this 30 day of August, 192002

(SEAL)

C. Lechado  
Notary Public, State of Florida at Large

Concepcion Lechado  
★ My Commission CC950655  
Expires June 28, 2004

My Commission Expires: June 28, 2004

\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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265  
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ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

## DISCLOSURE OF INTEREST

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME

NAME, ADDRESS AND OFFICE

Percentage of Stock

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If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS

Percentage of Interest

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**RECEIVED**  
215  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

*BC*

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS

Percentage of Ownership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

THE CORINTHIAN APARTMENTS, LTD.  
NAME

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

PGH-Corinthian, LLC (General Partner)  
General Partner owned by:  
Michael D. Wohl /35%

.01%

Louis Wolfson III/35%

David O. Deutch - 15%

Mitchell M. Friedman - 15%

Michael D. Wohl, an Individual

99.99%

Date of contract: July 17, 2002

**RECEIVED**  
245  
SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

*BC*



If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

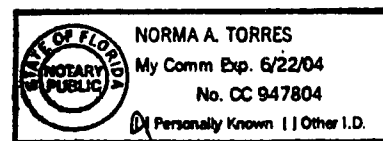
Signature:  
(Applicant)

The Corinthian Apartments, Ltd.  
By: PHG-Corinthian, LLC, its General Partner  
*Mitchell M. Friedman*  
Mitchell M. Friedman

Sworn to and subscribed before me,  
this 5<sup>th</sup> day of September, 2002

*Norma A. Torres*  
Notary Public, State of Florida at Large  
My Commission Expires:

(SEAL)

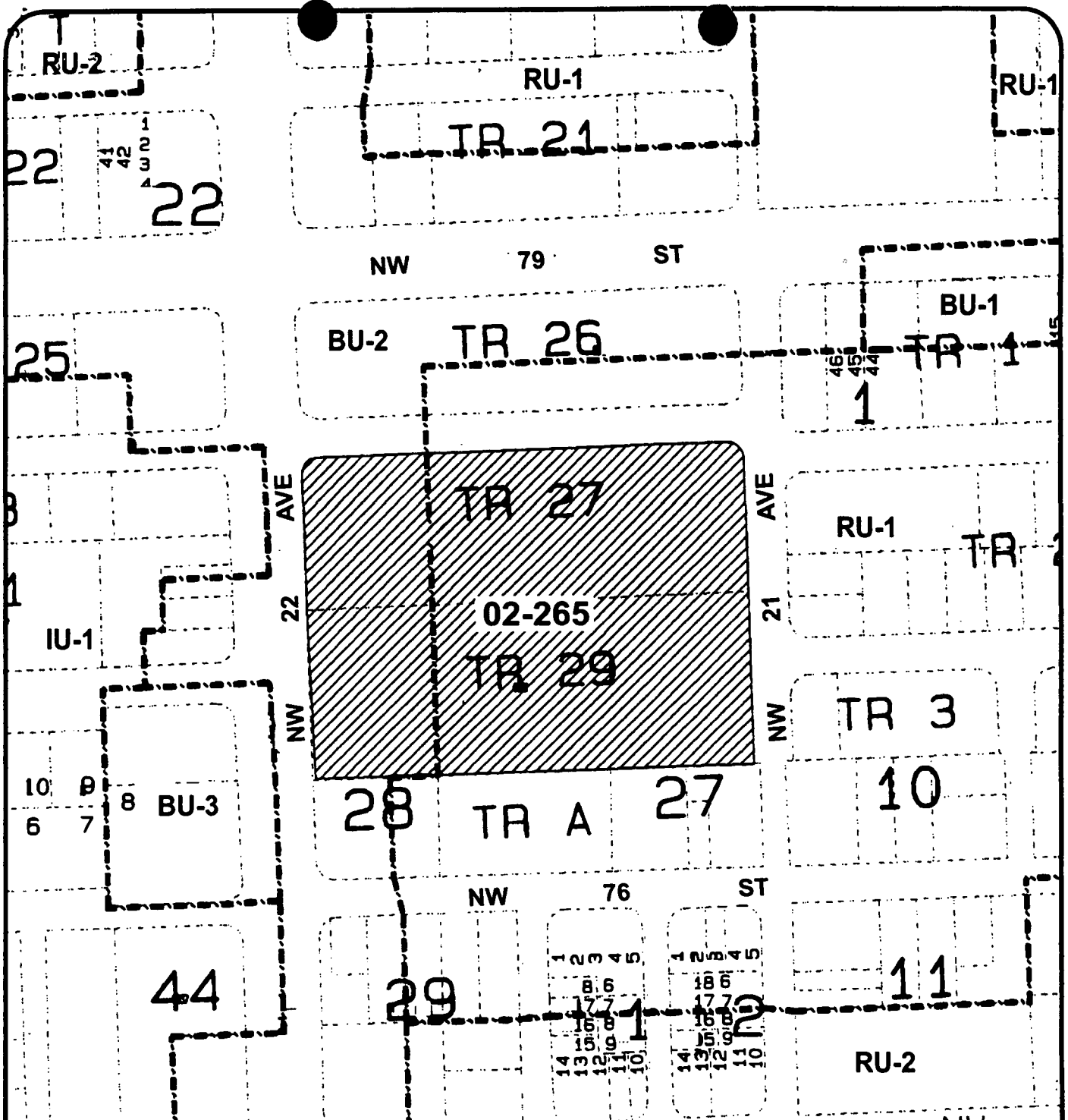


\* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

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SEP 06 2002

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY *BC*



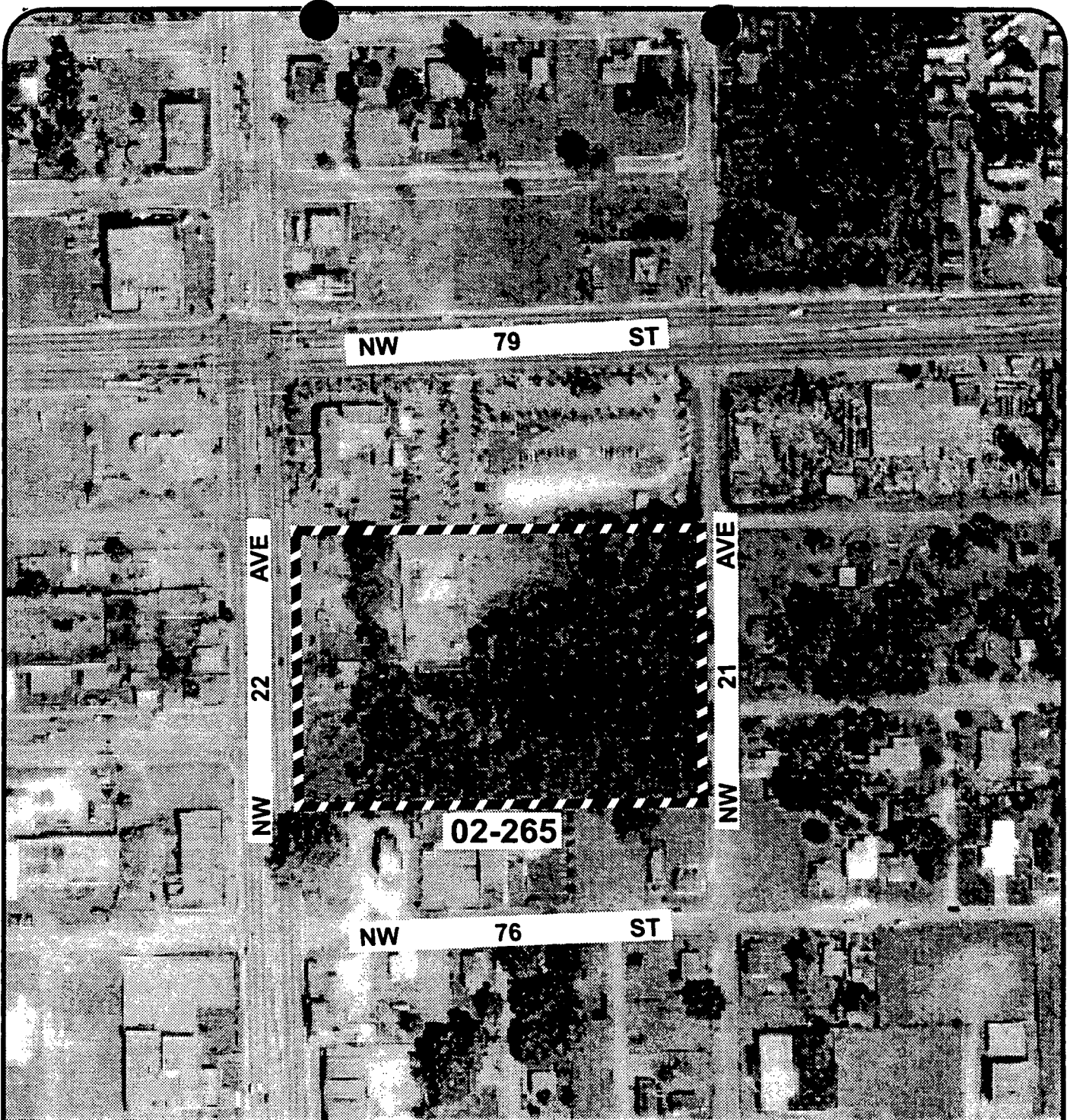
MIAMI-DADE COUNTY  
HEARING MAP

Section: 10 Township: 53 Range: 40  
 Process Number: 02000256  
 Applicant: S & D DEVELOPMENT  
 District Number: 02  
 Zoning Board: C08  
 Drafter ID: CIRO  
 Scale: 1:200'

S C A L E  
 0 200'



 SUBJECT PROPERTY



**MIAMI-DADE COUNTY  
AERIAL**

Section: 10 Township: 53 Range: 40  
Process Number: 02000256  
Applicant: S & D DEVELOPMENT  
District Number: 02  
Zoning Board: C08  
Drafter ID: CIRO  
Scale: NTS

S C A L E  
0 NTS



**SUBJECT PROPERTY**



# MEMORANDUM

TO: Diane O'Quinn Williams  
Director  
Department of Planning and Zoning

DATE: September 27, 2002

FROM: Danny Alvarez, Director  
Miami-Dade Transit

SUBJECT: FY03 Blanket Concurrency  
Concurrency Approval for  
Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2002 to September 30, 2003; unless canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief MDT, Transit System Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

Cc: Aurelio Rodriguez, Assistant Director  
Mario G. Garcia, Chief



# MEMORANDUM

07-07-17A MIAMI-DADE COUNTY MAY 1999

TO: Guillermo E. Olmedillo, Director  
Building & Zoning Department

DATE: May 3rd, 1999

SUBJECT: Concurrency  
Approval

FROM: Earl L. Carlton, Captain  
Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser

**MEMORANDUM**

TO: Guillermo E. Olmedillo  
Director  
Department of Planning and Zoning

DATE: September 22, 2000

SUBJECT: Solid Waste Disposal  
Concurrency Determination

FROM: Andrew Wilfork  
Director  
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nearly 40 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2011 or nearly five (5) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2003), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Steve Spratt, Senior Assistant to the County Manager  
Jim Bostic, Deputy Director, DSWM  
Vicente Castro, Assistant Director for Technical Services, DSWM  
Kathie G. Brooks, Assistant Director for Finance and Planning, DSWM  
Paul Mauriello, Executive Assistant to the Director, DSWM

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					TRASH-TO-FUEL FACILITY				SOUTH DADE	NORTH DADE	WMI	WTI	Total [1]-[7]
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to North Dade	Ash to Ashfill [1]	Net Tonnage [2]	RTI Gross Tonnage	Non-processables to North Dade	Processed Residue to South Dade	Net Tonnage [3]	Landfill Garbage [4]	Landfill Trash [5]	Landfill Garbage/Trash [6]	Waste to energy Trash [7]	
2000 *	1,746,000	936,000	152,000	12,000	147,000	625,000	196,000	18,000	22,000	156,000	323,000	272,000	140,000	83,000	1,746,000
2001 **	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1,687,000
2002	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	0	1,687,000
2003 ***	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	0	1,687,000
2004	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	0	1,687,000
2005	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	0	1,687,000
2006	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	0	1,687,000
2007	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	0	1,687,000
2008	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	0	1,687,000

RESOURCES	GARBAGE	TRASH	TOTAL
* TOTAL @ 1.75M	870,000	66,000	936,000 (93%G/7%T)
		196,000	196,000 (RTI)
** TOTAL @ 1.68M	870,000	66,000	936,000 (93%G/7%T)
		270,000	270,000 (RTI)
*** TOTAL @ 1.69M	870,000	66,000	936,000 (93%G/7%T)
w/o 100,000 to WTI		270,000	270,000 (RTI)
TOTAL WASTE STREAM PERCENTAGES			
@ 1.68 MILLIONS TONS			
GARBAGE 56.4%			952,000
TRASH 43.3%			730,000
SPECIAL 0.3%			5,000
TOTAL			1,687,000

REMAINING CAPACITY BY FACILITY				South Dade Capacity **	North Dade Capacity ***	South Dade (w/o cell 5) (w less 4.4 m tons)
Year	Ashfill Capacity *					
Base Capacity	3,150,000			9,148,000	3,943,000	3,748,000
2000	3,003,000			8,825,000	3,671,000	4,425,000
2001	2,865,000			8,596,000	3,407,000	4,186,000
2002	2,727,000			8,365,000	3,143,000	3,965,000
2003	2,589,000			8,135,000	2,779,000	3,735,000
2004	2,451,000			7,905,000	2,415,000	3,505,000
2005	2,313,000			7,675,000	2,051,000	3,275,000
2006	2,175,000			7,445,000	1,687,000	3,045,000
2007	2,037,000			7,215,000	1,323,000	2,815,000
2008	1,899,000			6,985,000	959,000	2,585,000
2009	1,761,000			6,755,000	595,000	2,355,000
2010	1,623,000			6,525,000	231,000	2,125,000
2011	1,485,000			6,295,000	0	1,895,000
2012	1,347,000			6,065,000	0	1,665,000
2013	1,209,000			5,835,000	0	1,435,000
2014	1,071,000			5,605,000	0	1,205,000
2015	933,000			5,375,000	0	975,000
2016	795,000			5,145,000	0	745,000
2017	657,000			4,915,000	0	515,000
2018	519,000			4,685,000	0	285,000
2019	381,000			4,455,000	0	55,000
2020	243,000			4,225,000	0	-175,000
2021	105,000			3,995,000	0	-405,000
2022	0			3,732,000	0	-668,000
2023	0			3,364,000	0	-1,036,000
2024	0			2,996,000	0	-1,404,000
2025	0			2,628,000	0	-1,772,000
2026	0			2,260,000	0	-2,140,000
2027	0			1,892,000	0	-2,508,000
2028	0			1,524,000	0	-2,876,000
2029	0			1,156,000	0	-3,244,000
2030	0			788,000	0	-3,612,000
2031	0			420,000	0	-3,980,000
2032	0			52,000	0	-4,348,000
2033	0			-316,000	0	-4,716,000
2034	0			-684,000	0	-5,084,000
2035	0			-1,052,000	0	-5,452,000
2036	0			-1,420,000	0	-5,820,000
2037	0			-1,788,000	0	-6,188,000
2038	0			-2,156,000	0	-6,556,000
2039	0			-2,524,000	0	-6,924,000

Total Remaining Years

21

32

10

19

\* Ashfill capacity includes cell 17-20; cells 19-20 have not been constructed.  
 \*\* South Dade includes cells 3, 4 and 5; cell 5 has not been constructed. Once ashfill capacity is used up, ash goes to South Dade. Assumes all unders consumes capacity whether or not it is used as cover.  
 \*\*\* North Dade capacity represents buildout of the facility. When North Dade landfill capacity is depleted trash is exported.  
 All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Engineering Division of the Department of Solid Waste Management. Dated October 1999.

## MEMORANDUM

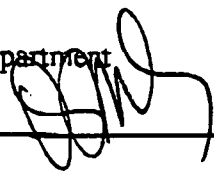
**TO:** Dianne O'Quinn-Williams, Director  
Department of Planning and Zoning

**DATE:** August 6, 2002

**FROM:** Vivian Donnell Rodriguez  
Director  
Park and Recreation Department

**SUBJECT:** Concurrency Approval

18



This memorandum updates the blanket concurrency approval memo of September 5, 2001. There is an adequate level of service for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year.

This approval is valid until September 30, 2003. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z  
W. Howard Gregg, Asst. Director for Planning & Development, PARD  
Barbara Falsey, Chief, Planning and Research Division, PARD

RECEIVED  
AUG 07 2002

BRADDADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING



## 2002 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	1995 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	454,457	64,558	519,015	1,427.28	1,198.25	702.34	85.32	1,985.91	558.63	1.391
2	495,397	64,277	559,674	1,539.09	1,598.06	508.33	139.79	2,246.18	707.09	1.459
3	136,815	24,777	161,592	444.37	578.93	177.20	6.90	763.03	318.66	1.717
TOT:	1,086,669	153,612	1,240,281	3,410.74	3,375.24	1,387.87	232.01	4,995.12	1,584.38	1.522